

8/5/86

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead, at the Riverhead Town Hall on Tuesday August 5, 1986 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Victor Prusinowski, Councilman
Robert Pike, Councilman

Also Present: Richard Ehlers, Town Attorney

Absent: Louis Boschetti, Councilman

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

BILLS

Bills submitted on abstract dated August 5, 1986 as follows:

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

BE IT RESOLVED, that the following bills be approved subject to complete audit.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Minutes of Regular Board Meeting held on July 15, 1986 without objection be hereby dispensed and approved.

Ron Eck, Roanoke Avenue, "I object."

Supervisor Janoski, "You're out of order."

Ron Eck, "You waived them or you're reading them?"

Supervisor Janoski, "You're out of order. We are approving the minutes and we usually dispensed with the reading of the minutes. No Mr. Eck. I have not recognized you and I'm going to have to ask you to sit down."

Ron Eck, "Ok." You'll recognize me later."

Supervisor Janoski, "I sure will. Ok. moved and seconded."

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "The heads of the various departments of town government are present this evening should anyone have any questions of them. Reports Mrs. Pendzick."

REPORTS

Conservation Advisory Council-Minutes of July 23, 1986 Meeting. fil

Supervisor's Office-Notice of addendum to final environmental impact statement of Riverhead Flagg Corp. at Baiting Hollow. fil

Planning Board-Environmental Assessment Form, site plan and resolution adopted 7/3/86 re: Cluster-Parviz Farazhad. fil

Police Dept.-For month of June, 1986. fil

Town Clerk's Office-For month of July, 1986. fil

Building Department-For month of July, 1986. fil

Irene Pendzick, "That concludes Reports."

Supervisor Janoski, "Applications and Petitions."

APPLICATIONS AND PETITIONS

Demson Tex Co., Inc.-For construction of water lateral mains on Doctors Path. (See Water District Minutes) fil

Shorewood Water Corp.-Expand franchise area (Wading River). fil

Petition-61 Parents and taxpayers re: jellyfish at swimming lessons and requesting weighted nets for protection. fil

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APPLICATIONS AND PETITIONS Continued

Carnival-Hampton Custom Floors & Blinds (tent sale on Route 58).

file

Carnival-Polish Town Civic Assoc. (Street fair and Festival, Polish Town).

file

Victor Pafundi-Site Plan for restaurant, Front St., Jamesport.

file

Victor Pafundi-Site Plan for motel, Front St., Jamesport.

file

West Lane Properties-Site Plan for industrial building, West Lane, Aquebogue.

file

Phyllis Dupree Ministries-Parade permit, Osborn and Railroad Avenue, 8/2/86.

file

Petition-7 Residents of River Road Calverton re: dogs at 383 River Road.

file

Donald Denis-Site Plan for office building, Route 25, Aquebogue.

file

Petition-57 Residents of Timber Park, for public water supply. (See Water District Minutes)

file

Fireworks Permit-Riverhead Raceway.

file

Alberta Young-Special Permit for subdivision in ind. "B" and agricultural "A" zone.

file

Irene Pendzick, "That concludes Applications and Petitions."

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

Huntington Town-Resolution Re: Resource Recovery Facilities.

file

North Fork Environmental Council, 7/29/86-Objection to change of zone requested by R. Entenmann as inconsistent and precedent setting.

file

Sherry Johnson, 7/30/86-Objecting to change of zone requested by R. Entenmann as potential to induce growth.

file

N.Y.S. Dept. of Transportation, 7/28/86-Have no comments re: highways in application of R. Entenmann but observes vehicle volume as addressed in incorrect.

file

H2M Corp., 7/25/86-Reports work completed to date on Ext. 27.

file

Peter Danowski, 7/17/86-Observing that since no action was taken within 60 days, pursuant to sec. 108-31.1 of Town Code, Pafundi site plans submitted on 2/13/86 and subsequently, they are deemed approved and demands permit be issued.

file

CORRESPONDENCE Continued

A. Barton Cass, 7/17/86-Acknowledging receipt of Res. #409 and that signs will be installed as soon as work can be scheduled. file

Lawrence Storm, 7/21/86-Copy of D.E.C. letter indicating no objection to Hargis application to expand Mobile Home Park. file

Phyllis Giammarino, 8/4/86-Requesting moratorium on West Lane. file

Planning Board, 7/23/86-Recommends that application of Joseph and Linda Sullivan be denied and that Town Code be amended to include 35' height limitation in recreational use district. file

Charles Bloss, 7/11/86-Reports inspection of Whitespruce Acres meet all requirements for dedication as public highway. file

Trout Brook Lane Civic Assoc., 8/1/86-Restating objections to purchase of residence by Timothy Hill Children's Ranch. file

Joan & Paul Merana, 8/4/86-Objection to use of Nadel Drive for condo units. file

Harry & Carol Denys, 8/1/86-Outlining danger of jet skis and fast boats and requesting police boat patrol Jamesport area. file

Supervisor Janoski, "Thank you. The time for the first scheduled public hearing has not yet arrived. Under Unfinished Business:

UNFINISHED BUSINESS

Kimbroke Associates-Special Permit for condominiums on Sound Avenue.

Atrium Group-Special Permit to use 2 residential homes in industrial area.

Rollin Hargis-Special Permit to add 23 units to existing park on River Road.

Justin Purchasing-Special Permit for 20 couple residence on Sound Avenue.

Robert Entenmann-Change of Zone for housing on 111.6 acres, Sound Avenue.

Nino Milatello-Site Plan for retail stores, Route 25A, Wading River. That has been acted upon and approved by the Town Board.

Dubois Smith-Site Plan for farm equipment sales building on East Main Street.

Robert Entenmann-Special Permit for 222 units on 111.6 acres, Sound Avenue.

UNFINISHED BUSINESS Continued

M.H. of L.I., Inc.-Special Permit for single family residences, Sound Avenue.

Wm. Giranda (Atlas Realty)-Revised Site Plan for alterations to building.

John & Elaine Villano-Site Plan for warehouse and sales 1407 Pulaski Street.

Baiting Hollow Development Corp.-Phase II, condo units.

Joseph & Linda Sullivan-Special Permit for 32 mobile home lots, Wading River.

Peconic Ambulance-Site Plan of garage, Edgar Avenue, Aquabogue.

Motel on Bay-Special Permit to convert 20 motel units into condos."

Supervisor Janoski, "I have about six minutes remaining before the first scheduled public hearing. I will recognize anyone wishing to be heard at this time. Mr. Eck."

Ronald J. Eck, 632 Roanoke Avenue, "Captain U.S. Air Force retired and possible which I understand I hold a battlefield commission at "Majon". I'm just waiting for the orders to come through from Washington. And Mr. Janoski, I wanted to say before, I believe that you are running this wrong because you are the supervisor in this town and the supervisor as being on the Board in that sit, should not cast his vote unless there is a tie. And I know from the past that you had went ahead (Mr. Janoski) and made and you put someone in your seat to act as supervisor for a day. And I would like to see that tonight. And I was wondering just if and you take Mr. Boschetti's place. Now, I'm wondering if Allen Smith is here because this is where it all started."

Supervisor Janoski, "This is one of the nights that he's not here. But you know, in concept, I happen to agree with you that I should not be a voting member of this Board which is interesting that we find ourselves doing that."

Ronald Eck, "Now I wanted to say something at the last meeting but I didn't get a chance to say it all because I was still under medication. My brain was still washed out from being in a P.O.W. camp in Korea. My plane went down and it all came back to me through the help of the V.A. And I have a letter here for Irene Pendzick that she can print up and make sure all the bulletin boards get it with the new V.A. hospital rules and regulations on it and who can go to the V.A. hospital. Now yesterday, I went to the V.A. I had an acupuncture done to my arm because I injured my arm in that plane crash and you can see the difference in my arm. I can hardly move it and it's thinner than the other one. My son-in-law noticed how thin it was today. I injured my legs in that plane crash. I get 70% disability for injury in my legs. Now, what I wish to say is the last meeting

PERSONAL APPEARANCES ContinuedRonald Eck, Continued

I was at I couldn't say it all. But John I started to talk about the telephones. When I lived at the Inn, everyone would watch me dial a number and most of the time it was my daughters house and I had to check this out to be proven because you complained over at St. Isidore's one night that you were getting a lot of complaints here in Town Hall about telephone calls. The same thing happened when I was in the correction facility. When I would stand there dialing a number from inside that correction facility, the men was watching what numbers I dialed. So I was using my daughters middle name every time I talked to them. I would switch back and forth from their middle name to their given name. So that nobody would know who I was calling. So they would never bother my daughters while I was in there this time but they bothered other people. And I know that because they was watching other numbers that I was writing down and I know they had bothered other people. They bothered Mr. "Sintocas" where I live at. I know this and you can check with Mr. "Sintocas". He don't know who called but I do. Now, you know about the telephone calls. Now I wanted to explain another situation about Sonny Turner. You made a statement that you were going to hire someone to remove all the trash which you probably did."

Supervisor Janoski, "No I didn't get anybody to do it yet."

Ronald Eck, "Ok. Well if you go back to Allen Smith's time in office, Allen Smith made a regulation and rule that all vehicles without license plates on, be removed from the Town of Riverhead if they wasn't registered. Now I always I had my license plates registered accept when I was up on East Main Street but they were garaged. If they're garaged, nobody sees that their not licensed plates. But there's cars all over this place without license plates on them. Junk cars, wrecked cars, everything. Now Allen made Wickham Tyte clean up his area one time. He got rid of his cars without license plates on them. But he did complain that he was using them because he was using them for parts. Now, Allen agreed with this or made an amendment that a car could be there providing their using it for parts I believe. Now this is something that you have to look into the old records. Now I come here....

Supervisor Janoski, "You're getting close to your five minutes."

Ronald Eck, "Ok. I come here quite a few times when Allen was in office and being that I was manic depressive and I was on the medication, he didn't understand that I was looking for help. That's all I was looking for. Now I'm here to try to help you, advise you on some of the things that you've been doing wrong. Now this is all I can say. Now another thing. You were talking about the racetrack over there. I know I've got five minutes."

Supervisor Janoski, "Your five minutes are up. Thank you Mr. Eck. Yes sir." You have two minutes."

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PERSONAL APPEARANCES Continued

Joe Sikora, Glenwood, "That's about all I need. On the permit for fireworks for the raceway.... Don't shake your head, please."

Councilman Prusinowski, "Go ahead. I'm listening."

Joe Sikora, "Alls I want to say is please have them shoot them west so they don't come over the mobile park."

Councilman Prusinowski, "I don't think they'll be coming over the mobile park."

Joe Sikora, "No, I'm just saying if you do. That's all I'm asking. Thank you."

Supervisor Janoski, "Thank you Mr. Sikora. Is it 7:45?"

Irene Pendzick, "Yes it is."

Supervisor Janoski, "Let the record show that the hour of 7:45 p.m. (I will recognize you) has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have a affidavits of publication and posting of a public notice for a public hearing to be held on Tuesday, August 5, 1986 at 7:45 p.m. to hear all interested persons regarding: The Proposed Amendment to Section 101-10 of the Town Code, entitled "Parking, standing & Stopping Prohibited" by adding the entire length of West Street.

Petition

18 Residents of West Street requesting "No Parking Signs".

Supervisor Janoski, "Thank you. Mr. Town Attorney."

Richard Ehlers, "Town Code permits the Town Board to limit parking on streets within the township. This proposal is to prohibit parking on West Street within the town and it's open for public comment."

Supervisor Janoski, "Thank you. I would recognize anyone now who wishes to address the Town Board on this proposal. Sonny."

Walker Turner, 1041 West Street, "We find that the street more times than not is being used as a repair garage and this is why it is blocked. This is why we want to get "no parking" on the street. This individual that is blocking the street, off the street. I have documented pictures that will show the blockage of the street. There are persons here now from West Street that will testify that many times the street is impassable because of vehicles lined up, jacked up in the street. This is why we want this petition to go to the Town Board with no quarantine. Pardon."

PUBLIC HEARING Continued

Supervisor Janoski, "Do you have the petition or do we already have that?"

Walker Turner, "You already have the petition. The main petition is what we want. To get the junk cleaned up but this is step towards getting that piece of property cleaned up."

Supervisor Janoski, "Thank you."

Walker Turner, "One other thing too. You might think of getting down the street. I'm in the ambulance corps of Riverhead for Riverhead Town. And sometimes when a call goes off, there's minutes in responding. A minute delay waiting for somebody to decide to move out of the street could be a life. Not that that I'm the only one responding. There are many of us that do respond but I do respond and it's important to be able to get out. Thank you."

Supervisor Janoski, "Thank you. Steve."

Steve Haizlip, Calverton, "This seems to be a very appropriate time to bring up this situation up on Osborn."

Supervisor Janoski, "No, it's not the appropriate time. We have a public hearing on this specific proposal. After we're finished with it is the appropriate time to bring up another area."

Steve Haizlip, "Well it's a public hearing about parking on West Street isn't it and it's being used as a repair garage."

Supervisor Janoski, "Are you going to talk about West Street?"

Steve Haizlip, "I'm going to talk about West Street. Because is what is happening there is they're using the street for repairs. Now what I want to know is what happens to the proposed building on Osborn and 25 where people could go work on their cars very cheap and inexpensive and rent the tools. Now that wall is still standing there and in so many years, aren't we going to get it completed so these people can go up there or not?"

Supervisor Jansoki, "No. As a matter of fact, the Board will probably consider very soon using dangerous hazardous structure to get the wall removed."

Steve Haizlip, "Joe I was on record if you'll check back and I made the specific words when is the wall of Jericho going to come tumbling down?"

Supervisor Janoski, "Thank you Steve. Is there anyone else present who wishes to address the Board on the matter of the prohibition of parking on West Street? Mr. Eck."

Ronald Eck, "Mr. Janoski, I've been over there on West Street many times. I did plumbing over there on west street many times and stuff like that. And there's a mess but let me put it this way; as Walker Turner said. He lived in this town for, his family did for a long time. And let me put another thing this way.

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PUBLIC HEARING Continued

Ronald Eck, Continued

which I said at the last meeting about the house that Jimmy North was on on 3rd Street I believe. Jimmy North was also over on Old Quogue Road in the township of Southampton. And over there it is very possible that he took a man's life. We all know the "Nell" brothers."

Supervisor Janoski, "Mr. Eck."

Councilman Prusinowski, "Don't get into that Ron."

Ronald Eck, "I'm just saying he's doing things that certainly is wrong."

Supervisor Janoski, "What I need to know is are you in favor or opposed to this proposal?"

Ronald Eck, "I'm in favor of it."

Supervisor Janoski, "Is there anyone else present who wishes to address the Board on the matter of the prohibition of parking on West Street? That being the case and without objection, I declare the hearing closed."

7:45 PUBLIC HEARING CLOSED AT 7:51

Supervisor Janoski, "There was someone in the back there who wanted to be recognized. You ma'am. Did you want to speak? You have about four minutes before the next public hearing."

Della Eisenman, "I have a question."

Supervisor Janoski, "Well come on up. Please give your name and address."

Della Eisenman, Riverhead, "I have a question about the Kimbrooke. There's no mention of the number of condos that the special permit is for. Isn't that included?"

Supervisor Janoski, "There better be. There better be 95."

Della Eisenman, "95. I thought that should be included as a point of information."

Supervisor Janoski, "It is. Well in the resolution but not on the agenda. I see what you're saying. Thank you. Is there anyone else who wishes to address the Board on any matter? Steve."

Steve Haizlip, "I would like to bring it to your attention Mr. Janoski and the other Board members and I'm pretty sure you're aware of it on your way home to Wading River every day. Now where Route 58 comes up and Route 25 joins in and the bend in the curve

PERSONAL APPEARANCES Continued

Steve Haizlip, Continued

that narrows down to only one lane when it reaches the original 25. Now I've been going along there and probably a lot of other people, doing around 40 or 45, taking you're time and not really being up on the oat field. Now beyond the oat field comes up from the left and he's trying to squeeze me way over into this right curve. Let's appeal to the highway department. Let's get signs up there "no passing" under any circumstances in whatever words or language they want to use."

Councilman Prusinowski, "Polish?"

Supervisor Janoski, "Thank you Steve. There are about two minutes remaining. Would anyone like to address the Board? Yes."

Evelyn Goree, 1027 West Street, "The issue was "no parking" signs on the street but we'd also like to know about the issue of the removing of the trash things on West Street."

Supervisor Janoski, "Simple enough. As soon as someone will agree to be hired by the town to do the job, we will hire them. And if you...."

Evelyn Goree, "What we don't understand is what is the delay."

Supervisor Janoski, "That is the delay. No one, so far, will do the job."

Councilman Prusinowski, "Do you know anybody?"

Evelyn Goree, "You're joking but this is really no joking matter."

Supervisor Janoski, "No we're not joking."

Evelyn Goree, "As far as cleaning up the garbage and the things on West Street because it's horrible."

Supervisor Janoski, "It's as simple as this. We have approached various people who have machinery to do the job. They have not expressed an interest in being hired by the town to do it. Now, if you can help me, supply me with some names of people who can do the job, we will hire them tomorrow."

Evelyn Goree, "So the issue is that you don't have... No one will come up and clean the trash."

Supervisor Janoski, "Well it's not only trash. It happens to be parts and vehicles."

Evelyn Goree, "Well everything."

Supervisor Janoski, "The Town Board went through a long process, as you probably are aware, legal process. We have made certain determinations and it has been ordered cleaned up. That

PERSONAL APPEARANCES ContinuedSupervisor Janoski, Continued

has failed to be done and now we will do it ourselves but we've got to get somebody to do it."

Evelyn Goree, "This I can not understand."

Supervisor Janoski, "Well you'll probably understand that whoever agrees to do the job, is probably going to have a police escort. You understand that."

Evelyn Goree, "Oh. There will definitely have to be."

Supervisor Janoski, "Well that's the reason."

Evelyn Goree, "That's the reason then. Because of the police escort and the danger."

Supervisor Janoski, "So far there has been no takers."

Evelyn Goree, "In the meantime, possibly that will never be cleaned up. It is possible."

Supervisor Janoski, "I hate to say that. No I think that we will succeed in hiring somebody to do the job eventually. There has got to be somebody."

Evelyn Goree, "Well can you say to someone that well we'll give you a police escort whatever."

Supervisor Janoski, "I've already said that, that we would station police officers at the location while the work is being done. As I say, if you and your neighbors want to help the town and I'm serious about this, and helping us identify someone who is capable of doing that job, they will be hired if they have the proper credentials and equipment to do it."

Evelyn Goree, "Now how long is it going to take if it's approved or disapproved as far as the signs and as far as parking on the street?"

Supervisor Janoski, "Well I'll tell you the truth, there's no reason why we can't act on it tonight. It's highly irregular for us to do so on the night of the public hearing but it's really an item which was no controversy attached to it and when we take a break, perhaps the Board will agree to enact the "no parking" there this evening. Usually we wait."

Evelyn Goree, "That's what I wanted. Is there a waiting period for that too?"

Supervisor Janoski, "Not necessarily. There was no objection and it seems to simple enough that if the Board wishes to, we could act on it this evening."

PERSONAL APPEARANCES Continued

Evelyn Goree, "So then there's the idea of getting someone to clean up the trash."

Supervisor Janoski, "That's it. We want to get it done."

Evelyn Goree, "We want to get it done too."

Supervisor Janoski, "I know."

Evelyn Goree, "Ok. Thank you."

Supervisor Janoski, "Thank you. Let the record show that the hour of 7:56 has arrived."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publication and posting of a public notice for a public hearing to be held on Tuesday, August 5, 1986 at 7:55 p.m. to hear all interested persons regarding: The Proposed Amendment to Section 101-3(A) of the Town Code entitled: "Stop & Yield Intersections, Railroad Crossings" by adding a stop sign at the intersection of Peconic Bay Boulevard and So. Jamesport Avenue.

Supervisor Janoski, "Thank you. Mr. Town Attorney."

Richard Ehlers, "Based on a request from a resident to the highway committee, the Board is considering placing a stop sign on Peconic Bay Boulevard that would make the intersection at that location a 4-way stop which would make it a similiar 4- way stop to the adjacent street."

Supervisor Janoski, "Thank you Mr. Town Attorney. Is there anyone present who wishes to address the Board on this proposal? That being the case and without.... Yes sir."

Albert Herter, S. Jamesport Avenue, "I moved to this town 15 months ago with three sons. At the time, their ages were 4, 11 and 13. Within about two months of moving to South Jamesport and 3rd Street, I found it necessary to go down and visit with your Police Chief Palmer to request some kind of relief from the constant drag racing up and down South Jamesport Avenue which was most evident on Friday and Saturday night obviously with the bars down there and the restaurant. He told me there was no relief available for the following reasons: number one; the Town of Riverhead does not use rumble strip to control speeding. Number two; stop signs are not used to control speeding. Number three; he could not put a man who was certified with radar because he was unable to free up any of his man to go for the recertification process necessary within every five years, three years, two years."

Supervisor Janoski, "Mr. Herter, please address the chair."

PUBLIC HEARING Continued

Albert Herter, "Anything the town can do to slow down traffic there where there are many disabled, many elderly and many, many children... I don't want my kids to wind up in the bay on the front of one of these bumpers. Thank you."

Supervisor Janoski, "Thank you."

Councilman Prusinowski, "Ok. We took a look at the situation at the request of a local resident who had that very concern. Hopefully, with the 4-way stop sign. I remember the other intersection of Washington Avenue and Peconic Bay Boulevard; we had similiar problems and the 4-way stop sign has improved the situation. And with the enforcement by the police department, I think we'll be able to make (inaudible) into that situation."

Supervisor Janoski, "Is there anyone else present who wishes to address the Board on this proposal? Yes sir."

William Welsh, S. Jamesport, "I'm president of the Jamesport/South Jamesport Civic Association and I live on South Jamesport Avenue. I feel this is a very good idea. An idea whose time has come and I must commend the process that has brought this to your attention and your consideration of it at this point and urge that that 4-way stop intersection be implemented. Thank you."

Supervisor Janoski, "Thank you Bill. Is there anyone else who wishes to address the Board on this proposal? That being the case and without objection, I declare the hearing closed."

7:55 PUBLIC HEARING CLOSED AT 8:01

Supervisor Janoski, "There are about 4 minutes remaining before the next scheduled public hearing. I would recognize anyone who wishes to be heard on any matter. Steve."

Steve Haizlip, "Don't worry Vic. I'm not going to read it all. I'm just going to comment about it. I guess probably most of you members seen the letter in the Suffolk Life about Mr. Cass about opposition for the court complex in Hauppauge. Now, he more or less states the same thing that I've been stating. That Mr. Cohalan and Mr. Kromarty and so forth want to get all these court complexes up near them so it will be easier for them to go. And so I will put this letter into the record as it seems no one has acknowledged that they read it and I think it's very good. It highlights a lot of good points that you've been talking about. Now, it's strictly (In my opinion) that if a town in a county was designated by heritage and down to the colonial times, it should stay here. So I will put this letter in so you can read it later."

Supervisor Janoski, "Thank you Steve. There are about 2 minutes remaining before the next scheduled public hearing. Is there anyone wishing to be heard on any subject? Sonny."

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PERSONAL APPEARANCES Continued

Walker Turner, "Again, that same problem. When I was thinking as you were talking what can be done about the cleaning up of the debris, I know many properties when they get to a certain extent of debris, rodents, things like that; the county or the town can come in and condemn that piece of property and take it over. And in that means, solve a solution that is very well warranted. And this property is far beyond condemnation."

Supervisor Janoski, "Are you talking about condemning in the sense of acquiring?"

Walker Turner, "Yes. Because if it's a junkyard, it's violating everyone of the town codes that has thirteen parts. Every one of the town codes that speaks of a junkyard, it's violating everyone of those codes. If it's a used car or whatever, again, it's in violation of every one of the codes that the town has as far as a used car or a junkyard or a repair shop. Every one of these are being violating. A neighbor called me up the other day that lives over on Pulaski Street which backs to that property about rodents and rats infesting her garage which are coming through the fence on that property. So there is that environment there that should be condemned if nothing else."

Supervisor Janoski, "Thank you Walker. Let the record show that the hour of 8:05 p.m. has arrived. The Town Clerk will please read the notice of the scoping hearing."

SCOPING HEARING - 8:05 p.m.

I have affidavits of publication and posting that a scoping hearing will be held on Tuesday, August 5, 1986 at 8:05 p.m. to hear all interested persons regarding: The Preparation of a Draft Environmental Impact Statement for the special permit application submitted by Augusta Schneider for the construction of 162 unit condominiums on the northerly 32.7 acres on the south side of Middle Road west of Northville Turnpike.

Supervisor Janoski, "Thank you. Mr. Smith, are you representing the applicant?"

Allen Smith, "Yes sir, I am."

Supervisor Janoski, "Mr. Smith, I'm going to start swearing people in. So if you would raise your right hand. I do solemnly swear that my testimony in these proceedings will be the truth, the whole truth and nothing but the truth. So help me God."

Allen Smith, "It will. The name is Allen Smith. My business address is 737 Roanoke Avenue, Riverhead. I represent the applicant, Augusta Schneider. The property again, is on the south side of Middle Road somewhat to the west of the intersection with Northville Turnpike and is what we call the Homan farm. It is approximately 32.8 acres as the notice indicates. Schneider has a special permit pursuant to the applicable ordinances on file asking to build residential housing

PUBLIC HEARING Continued

Allen Smith, Continued

at that location. Present with me this evening is Mr. Chuck Bowman of the Land Use Company, who is the professional and who will represent Mrs. Schneider in the preparation of the environmental impact statement. For those persons in the audience that are not familiar with the process; again the purpose of the hearing is to identify those environmental issues relating to this particular site that either the Board or the applicant or any other concerned party might request be addressed by the environmental impact statement. And once it is prepared, it will be submitted to this Board or get further scrutiny on review. Mr. Bowman has reviewed the site and he has identified it pursuant to part 617 which is the applicable state regulation. The following areas of major concerns relative to this parcel. It does contain a substantial wetland and that issue will be addressed. There is an issue of traffic at this particular location. Specifically as it relates to Northville and Middle and Route 58. There is an issue of sewerage both in terms of the parcel itself and the density requested and that will be addressed. As part of the application, there would be an application to extend the Riverhead Sewer District onto the parcel. And potable water is an issue to be addressed. This parcel is within the Riverhead Water District. And if the application were viewed favorably, it would be served by the public water system. There is an issue extent with this project and others in similar nature which is called growth inducing aspects. And in particular, the impact on the Riverhead Public School system and that will be addressed. There is a separate issue from the wetlands which is drainage on this particular site that has been identified by the applicant and by the town in terms of requests for drainage easements and that also will be addressed by Mr. Bowman in his draft environmental impact statement. There are many other criteria that are called out by part 617 flora and fauna being two of those on these particular site. They are of less magnitude but will in fact be addressed. Mr. Bowman is present to take notes and listen to anybody else who would choose to identify issues that they would like. Thank you sir."

Supervisor Janoski, "I wish you could have lasted one more minute Allen."

Allen Smith, "One more minute?"

Supervisor Janoski, "There's another public hearing scheduled at 8:10. So we will recess this public hearing and come back to it and wait out the thirty seconds until 8:10 I guess."

8:05 SCOPING HEARING RECESSED AT 8:09

Supervisor Janoski, "Let the record show that the hour of 8:10 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:10 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, August 5, 1986 at 8:10 p.m. to hear all interested persons regarding: The Proposed Amendment to Section 48-13(B)(1) of the Town Code entitled: "Parking and Parking Permits" by amending the daily fee for parking permits issued by the Recreation Dept. to \$5.00 daily or \$50.00 seasonal for persons other than residents, tenants or taxpayers of the Town.

Supervisor Janoski, "Mr. Town Attorney."

Richard Ehlers, "The Town Board regulates the parking at town beaches. And in it's regulations, regulates the parking by non-resident. The proposal is to make a more restricted approach to non-residents by opposing a daily five dollar fee or a seasonal fifty dollar fee on non-residents who seek to park at the beaches."

Supervisor Janoski, "Thank you. Is there anyone present who wishes to address the Board on this proposal? Yes sir."

Bob Skinner, Herod Point Road, "Good evening. What is the current charge? Is there a current charge? And are out of town residents allowed at all to park?"

Supervisor Janoski, "Three dollars a day."

Stanley Grodski, "Five dollars a day and fifty dollars a year. It's always been that way."

Bob Skinner, "If I might continue. The reason I'm a little concerned about this is because I had read in an old copy of the beach and recreation (it was from 60 something) updated gradually and I don't have it and I could have sworn it only limited to Reeves Park, Iron Pier and South Jamesport. And now it appears as though it's going to encompass all facilities."

Supervisor Janoski, "Those are the only town beaches."

Bob Skinner, "That is correct. Well you've got the town beach in Wading River. And you've also got the.... And again I keep harping but as far as the permitting goes, you only need a permit to park. That permit also allows you (the parking permit) to park for the purpose of putting your boat in. We've got very limited space down there. Ok. If we buy this permit on the cost of a five dollar fee for a day, I envision and it's going on now, but people are sneaking down there and nobody's bothering to do anything about it it seems this year which I'll get to that at a later time. I see a lot of people from Wildwood coming down from the state park come down and put in their canoes and everything else down at that ramp and there is no place to park. I have no objection with the people coming down to use the beach if there's adequate parking facilities which I don't see. In the case that I've just illustrated, this is going to happen. Even if you go to Iron Pier, this past Sunday I was down there. There was literally no place to put a boat trailer and these are the concerns that I have. You go to Mattituck, you're going to be charged from ten to fifteen bucks to put it in. You go to Orient, it's ten dollars to put it in. These people are all of a sudden now

Bob Skinner, Continued

going to have a facility where they can put it in for five dollars. Brookhaven is twenty with a hundred dollar per year. And I just don't see where we're getting anything out of this."

Supervisor Janoski, "Well quite honestly I agree with your position. I, a couple of years ago, thought it should be much higher per day. But let's say what the Town Attorney has found out here."

Richard Ehlers, "There are two sections that talk about fees. The section that's under discussion this evening is general parking at the beaches and that was amended back in 1978 on February 14th and that's a daily fee of two dollars per day. That's what the code states. The proposal is to raise that from the strict two dollars per day to five dollars or a seasonal fifty dollars."

Bob Skinner, "And that would encompass all the facilities? Or that would encompass the Reeves Park and South Jamesport and the Iron Pier."

Richard Ehlers, "The issue of parking for fishing purposes which is subsection 5 resident and non-resident beach parking permits for fishing purposes shall be issued by the Recreation Department and shall entitle the vehicle so licensed to remain at the parking areas at all hours of the day and night. The non-resident fee shall be a flat 25 dollars. So I think your suggestions, if I heard them from in the hallway, are that you'd like to see that section addressed to a daily fee for the fishing purposes."

Bob Skinner, "As far as boat launching purposes, that is my main concern. And that concern I would say, I can't see how we can do it at all under the current situation. I can see tenants which is addressed as people living, people that come out for, people who have a summer house or people who rent a cottage for a month or whatever, that kind of permit I can see being issued through the Stotsky Park facility. Come in and show some sort of proof. But what I don't want to see is everybody from Mastic and Shirley. They want to go fishing on the north shore and they don't want to wait an hour and a half to put their boat in at Mount Sinai."

Supervisor Janoski, "Is it fair to say that what you're looking for, what you think is a good idea is a more restrictive fee? What I mean is a higher fee which would have the effect of restricting use because of its cost?"

Bob Skinner, "Yes. I would want to see a more restrictive use when it comes to that phase of it. As far as... And I think you're going to have to separate it somehow as far as parking just (you know) for people who want to go down to the beach. Bring the kids and go swimming as opposed to having the same type of permit available to them and then coming down and parking with a boat and a trailer."

Supervisor Janoski, "Well that's the purpose of this hearing. To get input from the people to see what they think and it is possible that the Board will reconsider the numbers that have been suggested in this proposal which we certainly can do."

Bob Skinner, "I would hope so. Especially in light of if you saw the Newsday article. Three people...."

Supervisor Janoski, "I saw it and I commented. In fact, the reporter called me and said of all the people in the world, they had to get a guy from East Northport or wherever he was from and someone from Lake Ronkonkoma and they shouldn't have been there."

Bob Skinner, "And this goes on all the time."

Supervisor Janoski, "Ok. Thank you. Stanley."

Stanley Grodski, "Two years ago we changed the five dollars daily and fifty dollars seasonal. Now I think the subject is the fishing permits that have nothing to do with the daily fee. People that want to fish after 10 o'clock. Because the ordinance reads: after 10 o'clock, no one is allowed in the beach parking lot. So a 25 dollar fee for the five eastern town residents is available but only for the five eastern towns. Now, the person, instead of paying 50 dollars per season, can get a so called fishing permit. I think that's what should be addressed. Why should he pay 50 dollars if he can get a 25 dollar permit to park after 10 o'clock? It just only applies to the five eastern towns. Now, I'm sure in the code book it's never been changed. I addressed it and it was supposed to be changed."

Richard Ehlers, "When you sent the memo, when the memo came over to change it in the code book, we had to call a public hearing tonight to change it. So that's why we're doing it."

Stanley Grodski, "No. I just wanted to know what to do with all this money we've collected."

Richard Ehlers, "You keep it."

Supervisor Janoski, "Is there anyone else present who wishes to address the Board on this matter? Thank you. Without objection, I declare the hearing closed."

8:10 PUBLIC HEARING CLOSED AT 8:19

Supervisor Janoski, "We will re-open the scoping hearing on the application of Augusta Schneider for 162 condos on Middle Road. Before we begin, let me once again point out this is a scoping hearing. The purpose of which is to identify, to give the public the opportunity to identify those items or concerns that they believe should be addressed in the formulation of the draft environmental impact statement. This is not a public hearing on the special permit application at which time the citizens would have an opportunity

John Goldman, Continued

second: is the request that the traffic analysis be completed with special detail paid to impact on traffic flow on Middle Road, Northville Turnpike, Roanoke Avenue, and Route 58. Special attention should be paid to the probable noise safety, air pollution and ground water contamination due to oil and gasoline seepage from cars. And I would like an analysis of the alternate transportation schemes for the development including public transportation, voluntary car pooling, etc. And I would please ask to use the latest Suffolk County and Town of Riverhead data for traffic analysis. Now there with regard to the request of solid waste analysis be completed with special attention to removal of excavated material from the site, construction materials, hazardous wastes such as asbestos, chemical agents used in concrete curing and any other hazardous wastes. And a detailed analysis of projected solid wastes, household garbage which will be produced by the development should be available and a method of removal and impact on the Riverhead Town landfill. Alternate solid waste disposal methods should be presented in detail. I request that a detailed impact statement be prepared via the proposed development and the Riverhead Central School District. Special attention should be paid to the projected number of children to be housed and the projected per pupil cost to the town including transportation up until 1996. I request that a detailed impact statement be prepared viv avis the preposed development and other town services including: police, fire, highway maintenance and health services. This statement should include a per capita cost of the projected site up to 1996. I request that a detail tax revenue projection be prepared. Please stipulate using the Town of Riverhead tax department data. I request that a detailed scientific inventory of all plant and animal life on the property be completed. I request that a scientific impact statement on the Saw Mill Creek and the Indian Island County Park be prepared. The statement should be prepared in conjunction with the Town of Riverhead Conservation Advisory Board, the Suffolk County Department of Parks and the New York State Department of Environmental Conservation and any private conservation organization committe for the Pine Barrens, the nature conservancy, etc. We respectfully request that these questions to the Town Board and these requests to Mrs. Schneider be included in the full official record to these proceedings. Thank you very much."

Supervisor Janoski, "Thank you sir. If you would step back to the microphone, I don't know if you identified yourself."

John Goldman, "I'm sorry. I'm John Goldman. I live in Riverhead."

Supervisor Janoski, "Ok. Mr. Goldman, I want to say that that's probably one of the best presentations I've heard here in a long time. Thank you. Is there anyone else present who wishes to be heard at this time? Steve."

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SCOPING HEARING, Continued

Supervisor Janoski, Continued

to express their feelings for or against the proposal. Simply tonight we are dealing with those items which the public feels should be addressed in the draft environmental impact statement. And with that, I will recognize Dick."

7:55 SCOPING HEARING RE-OPENED AT 8:20

Supervisor Janoski, "If you will raise your right hand. I swear that the testimony that I will give in these proceedings will be the truth, the whole truth, so help me God."

Dick Benedict, Fanning Boulevard, "I have lived in that area and I drive it twice a day for the last 27 years. There's a couple of things I'd like to point out. First of all; the traffic problem on Middle Road. Especially the curve at Dr. Bacash's. I don't think that can stand much more traffic because there's many, many days even at 6 in the morning where I've had some pretty close calls there. And one other thing; I don't know if anybody realizes it. It may not be an impact but the latest town well is less than a quarter of a mile from there. The latest one that we drilled in the Town of Riverhead is less than a quarter of a mile and I don't know what kind of fertilizers, pesticides, or anything they'll be putting in the ground there. And having hunted all over that property there, there are some very nice ponds there. And that is the outlet for what we had problems with last year or the year before I should say on the ponds up further. It flows down through McBurnie's pond and out past Homan's into the Bay. But the curve at Bacash's and the shoulders at Middle Road and also the snow between Timothy Hill and Ostrander Avenue in the winter is a very bad section. Thank you."

Supervisor Janoski, "Thank you. Yes sir. Not you Steve. The gentleman behind you. Oh, I'm sorry. I swear that the testimony that I will give in these proceedings will be the truth, the whole truth and nothing but the truth, so help you God."

John Goldman, Riverhead, "I do. I'm a Riverhead resident. I have the following things for the scoping in two parts. One for the Town Board. I would like the Town Board to exactly, what is the zoning on this property? Exactly how is it zoned? I would like to know if the proposed development is in exclusively compliance with the zoning. I'd like to know what the Board's timetable is with regard to the review of the developer's application. I'd like to know does the proposed development comply with the town master plan and would you explain that totally. And will the Board listen to input from the Conservation Advisory Council? Now, with regard to the developer, I would like the following: a detailed hydrological (ground water and drainage) analysis be completed with special detail paid to the Long Island Regional Planning Board 208 Study. Also with the latest hydrological data from Suffolk County and Town of Riverhead data. Special attention should be paid to the water usage by the proposed development including the amount of drinking water, the amount of waste water and sewage. Now the

SCOPING HEARING Continued

Steve Haizlip, "The only thing that I'm a little vague here on is when Mr. Smith was talking. I kind of listened very carefully and it sounds like Mrs. Schneider has already got her permit and this thing says a public hearing on a permit. Now, the english language the way it is, he could have it and still be talking about it or he could be talking about it to get it."

Supervisor Janoski, "Ok. Let me explain this process here."

Steve Haizlip, "Oh. I didn't get sworn in. I'm sorry."

Supervisor Janoski, "That's ok. I've always assumed that you would tell us the truth Steve. Steve what we're in is a special permit application process. Part of that process is called SEQRA. And it is compliance with the State Environmental Quality Review Act. Part of the procedure of compliance with the State Environmental Quality Review Act is the producing of an environmental impact statement. And the first version of it is called the draft environmental impact statement. Now, this particular scoping hearing that we're having this evening, gives the public the opportunity, as John did, to list off the things that they would like to see addressed in that draft form of the environmental impact statement. Now this is one step in the process of getting a special permit. We will have a subsequent hearing which is a public hearing which is specifically on the special permit application and that will be the opportunity for the people to express their pro and con opinion of the project."

Steve Haizlip, "Ok. No permit has been received as of now?"

Supervisor Janoski, "No sir. Or we wouldn't be doing that. Yes sir. You know, further purposes, and I see a lot of people, can we just understand that everybody is sworn that the testimony be the truth, the whole truth, so help you God. Yes ma'am."

Marian White, Nadel Drive, "I also live in Riverhead. We live on Nadel Drive and there's a proposed 181 unit complex behind us in the farmland. Unfortunately we weren't aware that there was already a scoping meeting...."

TAPE ENDED

Supervisor Janoski, "There is a 30 day comment period in which you and your neighbors can make observations in written form to be included in the addressing of that. Pardon me. Then why don't you tell them. Go ahead. What do we pay you for?"

Richard Ehlers, "In that draft environmental impact statement that will be prepared in the Benjamin application and this one as well, is filed with the Town Clerk. It's also duplicated and sent to certain (what are called) interested agencies. That would be the Long Island Regional Planning Board, the Department of Public Works and others. But it will be available for inspection at the Town Clerk's Office once it is prepared. It will take them some period of time to prepare it because they've only had the request made of what it should be contained fairly recently."

Marian White, "Once it's prepared, do we get to add to it?"

Richard Ehlers, "Right. That's why it's called a draft because the draft means that that's their best position subject to being reviewed. You review it, we review it, the Board members review it, agencies review it, submit comments. Then they are required to respond further on those comments. So the comments this evening in the case of the application, are not the end of comments. You still have a chance to make your comments. In fact if you want to make some comments now before they even do the draft, you can file those with the Town Clerk and they will be on file there."

Supervisor Janoski, "Thank you."

Della Eisenman, "As you can see, I've written down my comments because I'm not very good at remembering what I have to say and I'd like to make a statement relative to Augusta Schneider proposed townhouse development. Firstly: I would like to make a strong request that in addition to the required environmental study, an economic impact study be prepared. This study should include several important considerations. One: the number of students who would be intended for district schools should be projected. Our district schools are nearing capacity. What would be the projected cost to us in school taxes for new buildings, more teachers, additional buses, materials and supplies. Secondly: the projected cost to the community in taxes for new roads, widening and surfacing present roads, more traffic signs and signals and the increased cost of maintaining present roads plus new roads deeded to the town by the developers. Number three: what would be the projected cost of disposing of greatly increased amounts of garbage and sewage. Plant capacity may be available but upkeep and repair will be more costly because of increased use. Number four: our present hospital facilities, fire district facilities and police personell and vehicles ample for increased populations. We should have a projection on these services. I strongly request that outside environmental and impact studies be done on this development but not restricted to this development only. Each study should include the impact on Riverhead Town of the total of at least 800 to 900 condos and mobile homes plus the 600 lots for single-family dwellings who's applications are in various stages of the approval seeking process before the Town Board at present. It seems pointless to consider the impact of 162 townhouses when another 1200 to 1500 units of housing are also being processed at the same time. I request that the study include the environmental and economic impact of up to 2000 more families in Riverhead Town within the next three years. A L.I.L.C.O. survey just obtained, estimates 3.11 per family in Suffolk County having an average of two cars per family. Consider therefore, about 6220 new residents using our present facilities and driving about 4000 additional cars and trucks on our present roads. In the light of these numbers, I would strongly urge that the Town Board declare a moratorium on the proposed units until such a time as these comprehensive studies are completed and evaluated. The evaluation should be considered within the context of the Riverhead Master Plan. Article 108 section 25 part f-4

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SCOPING HEARING, Continued

Della Eisenman, Continued

of the town zoning code guarantees that the Town Board shall determine that the health, safety, welfare, comfort, convenience and order of the town will not be adversely effected by authorized use of approved housing. Speaking specifically now of Augusta Schneider's proposed development, it is my calculation that 162 units exceeds the allowable number of units for her 32.7 acres. If I may quote from article 108 section 20 part C of the town zoning code; 7 one-bedroom units are permitted per acre. 34 one-bedroom units would therefore require 4.85 acres. 128 two-bedroom units at 3.5 units per acre would require 36.57 acres. The Riverhead Town Board should expect an acreage an acre of 41.2 acres for the 162 units requested. This is 8.72 acres short of the 32.7 acres which the petitioner is providing. In reviewing this code, I was surprised to find it discriminatory in that two single-family dwellings may be built per acre but the density more than doubles per acre for condominiums in residence "C". I would hope that the density of allowable condominium units per acre be decreased to permit more open areas. The Town Board must be commended on any..."

Supervisor Janoski, "Ma'am, if I could interrupt you. I'm sorry, but you're getting into areas that really belong at a different hearing."

Della Eisenman, "Alright. I would just like to say that in making your decision, it is your responsibility to consider the general welfare of all of us living there."

Supervisor Janoski, "Absolutely. We recognize that but we are not going to prepare (this Town Board) the draft environmental impact statement. Those folks in the back that are scribbling down what you say, are going to. And your feelings about changes in the zone, certainly we can talk about those at any time."

Della Eisenman, "I understand that but I want you to also know our feelings when you consider any future replies that they make to any requests that you have. Thank you very much."

Supervisor Janoski, "Alright. Thank you."

Irene Pendzick, "Della could I have a copy of that please."

Supervisor Janoski, "We can make a photo copy."

Councilman Pike, "I would particularly like to see what was not said in the rest of your presentation."

Supervisor Janoski, "Yes ma'am."

SCOPING HEARING Continued

Roselyn Goldman, Riverhead, "We are going to hear an environmental study prepared by the applicant. Who is going to speak for the town as far as the environmental impact statement?"

Supervisor Janoski, "Quite honestly, this is a scoping hearing and really, you're not supposed to be asking questions. You're supposed to be saying to them what you want them to address. Mr. Town Attorney, if you'd like, would you please answer the question."

Richard Ehlers, "Based on the comments this evening and the regulations that pertain to how you prepare the draft environmental impact statement, it's their obligation to prepare it. It is then received by the town. It's sent to our consulting firm, Louis McLean, Assoc., where a gentleman who is considered to be an expert in the review of environmental impact statements, will give us his comments. It also is submitted to our Town Planning Board and to the Conservation Advisory Council in addition to the Town Board themselves and the Zoning Board of Appeals as well as all the outside agencies; the Department of Transportation. There is about 26 involved agencies. They all then, as you will, have an opportunity to comment on this draft and say where you feel it's deficient or where it has merit. Based on those comments, the Board (the Town Board) may then direct them to augment and supplement areas where there is a deficiency. Then we go through it again. They bring back the comments. We look at them. They are reviewed by the expert, they're reviewed by the Boards. And hopefully at the end, we come up with a document that adequately addresses all the concerns."

Roselyn Goldman, "Thank you very much."

Supervisor Janoski, "Thank you. Ok. Sherry."

Sherry Johnson, Manorville, "I know I should have got up here before Mr. Goldman. I have a few he doesn't have. Number one was to discuss the town master plan for this area. Discuss studies conducted or being conducted by town and county agencies pertaining to housing needs, describe how this housing project complies with the needs, discuss maintenance of roadways within the project as well as traffic on adjacent highways, describe local wildlife. Determine if there are any rare or threatened endangered species present. Discuss impact on habitat during and after construction. And I also think now is the time to start preparing cumulative impact studies instead of just by individual application. And I have discussed the sewage and waste quantity to be generated and methods of handling. Discuss the impact on the sewage treatment facility, including the accumulative impact with other projects proposing to use this facility. Discuss the increase of increased effluent on Peconic Bay. Include accumulative impact and discuss the compliance with the 208 water quality study recommendations. For handling increased effluent discharge into Bay waters. And I have also discussed alternative uses for the site, including development of detached units under existing zoning. Thank you."

SCOPING HEARING, Continued

Councilman Pike, "Thank you Sherry."

Supervisor Janoski, "Thank you Sherry. Yes sir."

Bob Skinner, "These things seem to include roadways, school districts, etc., etc. Is there anyway that we can incorporate an impact both on this particular item and accumulatively on the recreation district also and the facilities that are involved in that?"

Supervisor Janoski, "They are writing that down, so I guess they can. Thank you. Joe Baier."

Joe Baier, Wading River, "I was sitting in the back and feverously noting all the notes being taken, so I won't reiterate some of the comments that were made. But I think that perhaps there might be one other item that should be addressed and that is; the impact of the project on adjacent parcels particularly to the south of this particular application. There is a series of wetlands and potential for development of certainly that corner. I know it's been before the Town Board on previous occasions and I don't think that any action was taken at that point. But on the other hand, perhaps we may have to consider accumulative effect of the fact that this parcel could also be developed or the condominium itself having an effect on this vacant property and the wetlands and I think that should be included as part of the analysis."

Supervisor Janoski, "Thank you Joe. Is there anyone else present who wishes to address the Board on the matters that they feel should be addressed in the draft environmental impact statement? Mr. Pike."

Councilman Pike, "This is absolutely fascinating. This is the first time I have been rendered speechless by the audience on an environmental impact statement. The combined presentations of Goldman, Eisenman and Johnson have left the environmental cupboard bare and I wanted to just do a couple of things to help the process along. Joe stole my very last one which was that we have a wetland system here which is basically a natural drainage system. It both feeds to the south end and draws to the north, I believe. In fact, from an area that we've had substantial problems with before because the impact on neighboring properties were not addressed. So that whole water flow system there should be addressed. Secondly; one of the things that was pointed out was that there is a discrimination in the zoning code between forms of ownership in this zone. Such that, if you happen to possess the property in the condominium form, you can get higher densities than you can if it's regular fee title. That's an unusual provision for zoning codes. And I think this would be an opportune time in the mandatory consideration of alternatives, to very specifically compare all this project as it is proposed, not only with the alternative of this project with fewer units but also with what would happen if you developed it under the other alternative in the code. And I think that comparison should cut straight across the board. Not only the environmental impact should be compared but the economic analysis. The economic analysis is relevant and I think we're very interested in seeing exactly what those two alternatives (at least those two alternatives) would mean. I wanted to allay somebody else's concerns

Councilman Pike, Continued

with this. The environmental impact statement once it's determined that it should be brought to bare on an application, is part of the application itself. The application isn't complete until the environmental impact statement is complete. So there is sufficient time now for everybody who is interested in this project to become a part of it. A couple of innovative features in this proposal as it's currently proposed, including the creation of a new pond, I have worked with the environmental consultant in this project in the past and if he does his very best, is capable of enhancing the environment. He's got some expertise in environment reconstruction. That is a very tricky art form. It is not a science yet. And he provides in his application an opportunity for the town to take a look at the possibility of expanding our natural resources using man made techniques. His expanding our wetlands here. And to that extent, there is a very interesting feature in this project that I would encourage be done as well as very possibly can be. Finally, in the final analysis, the environmental impact statement must (in my opinion) be the opinion of the lead agency. This Town Board is the lead agency. We have to, under the law, exercise our independent judgment as to what the impact will be. So I would encourage the applicant to turn this into, without much further prodding, a completely objective analysis. I know that a lot of environmental impact statements come in as sales documents. I would not encourage that and I will resist it with every ounce of energy I can in this case. This is going to be a large project. It has the chance of making a very major significant negative impact on the environment. And if properly done, it might have the potential for having very little impact on the environment at all. That's what this process is about and I encourage them to their task."

Supervisor Janoski, "Is there anyone else who wishes to address the Board on the matter of the environmental impact statement? That being the case and without objection, I declare this scoping hearing closed. And I'm going to recess this hearing until 9 p.m."

8:05 SCOPING HEARING CLOSED AT 8:47

TOWN BOARD MEETING RECESSED AT 8:47
TOWN BOARD MEETING RECONVENED AT 9:03

Supervisor Janoski, "The meeting will return to order. Ok. Why don't you do that."

RESOLUTIONS

#439 BUDGET ADOPTION - WATER EXTENSION #25 CAPITAL PROJECT.

(See Water District Minutes)

RESOLUTIONS Continued#440 BUDGET ADOPTION - WATER EXTENSION #27 CAPITAL PROJECT.

(See Water District Minutes)

#441 ACCEPTS RESIGNATION OF SECRETARY TO THE SUPERINTENDENT OF HIGHWAYS.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, Dorothy E. Bilek has, by letter dated August 1, 1986, submitted her resignation from her position as Secretary to the Superintendent of Highways.

NOW, THEREFORE, BE IT

RESOLVED, that the resignation of Dorothy E. Bilek from her position as Secretary to the Superintendent of Highways be and is hereby accepted effective August 15, 1986, and

BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this resolution to Dorothy E. Bilek and the Accounting Office.

The vote, Boschetti, absent, Pike, absent, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#442 SALARY REASSIGNMENT OF NINE (9) EMPLOYEES.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the CSEA contract permits reassignment of employees on the Salary Structure when requested by the CSEA Union, and

WHEREAS, the CSEA Union has petitioned this Town Board to review and reassign nine employees on the salary schedule.

NOW, THEREFORE, BE IT

RESOLVED, that the following employees be reassigned on the salary schedule as follows, and

BE IT FURTHER RESOLVED, that the effective date of these salary increases be June 30, 1986.

Employee: Nancy Neems

Approved: Merit raise of two steps to Group 1, Step 8

Salary : \$14,327.77

Employee: Ann Ribeiro

Approved: Merit raise of two steps to Group 2, Step 9

Salary : \$15,260.15

Employee: Frank Ruskoski

Approved: Merit raise of two steps to Group 6, Step 5

Salary : \$18,818.98

Employee: Frank Shefchick

Approved: Merit raise of three steps to Group 7, Step 9

Salary : \$21,120.04

RESOLUTIONS Continued

Employee: William Jermusyk
 Approved: Merit raise of one step to Group 7, Step 4
 Salary : \$18,680.04

Employee: Russell Fleischman, Jr.
 Approved: Merit raise of two steps to Group 7, Step 5
 Salary : \$19,168.04

Employee: Stefan Zurek
 Approved: Merit raise of four steps to Group 9, Step 7
 Salary : \$20,893.24

Employee: Michael Reichel
 Approved: Merit raise of one step to Group 10, Step 3
 Salary : \$18,529.95

Employee: Leonard Bulak
 Approved: Merit raise of two steps to Group 7, Step 5
 Salary : \$19,168.04

The vote, Boschetti, absent, Pike, absent, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#443 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: AMENDMENT TO RIVERHEAD TOWN CODE.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to amending the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of August, 1986, at 8:05 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending the Riverhead Town Code, Section 108-96(D) (2) as follows:

(2) All applications for the consideration of a minor subdivision shall be accompanied by a fee of ~~ten-dollars-(\$10.)~~ twenty five dollars (\$25); if the lots are merged or if an internal change in the lot lines occurs, the fee shall be ten-dollars-(\$10) twenty dollars (\$20); if a major subdivision is to be treated as a minor subdivision, the fee shall be one hundred dollars (\$100) per lot; if the minor subdivision is taken from a proposed major subdivision, the fee shall be one hundred dollars (\$100) per lot.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#444 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: AMENDMENT TO ZONING DISTRICT USE SCHEDULE.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to amending the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of August, 1986, at 8:15 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending the height requirement in the Business PB Zoning District on the Zoning District Use Schedule by changing the maximum height requirement from ~~45-feet~~ to 35 feet.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#445 RESCINDS BEACH ATTENDANT TO RIVERHEAD RECREATION DEPARTMENT.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, Eileen McCabe was appointed Beach Attendant effective June 28, 1986 to and including September 1, 1986 and

WHEREAS, Eileen McCabe has indicated her inability to serve.

BE IT FURTHER RESOLVED, that the appointment of Eileen McCabe made in a Town Board Resolution under date of June 3, 1986 be and is hereby rescinded.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#446 AUTHORIZES APPOINTMENT OF BEACH ATTENDANT TO RIVERHEAD RECREATION DEPARTMENT.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that Casandra Rucigay is hereby appointed to serve as Beach Attendant effective July 22, 1986 to and including September 1, 1986 to be paid bi-weekly at the following hourly rate of \$4.50 and to serve at the pleasure of the Town Board.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#447 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: AMENDMENT TO RIVERHEAD TOWN CODE.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to amending the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of August, 1986, at 8:20 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending the Riverhead Town Code, Section 101-3 entitled "Stop and Yield Intersections; Railroad Crossings" as follows:

Intersection	Stop Sign on	Entrance from
Riverside Drive	<u>Easement to Sewer Plant.</u>	<u>North</u>

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#448 AUTHORIZES TENT SALE OF HAMPTON CUSTOM FLOORS & BLINDS.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, Hampton Custom Floors & Blinds has made an application to hold an open-air sale from August 21, 1986 through August 24, 1986, at premises located at 1098 Route 58, Riverhead, New York; and

WHEREAS, a Certificate of Insurance has been received by the Town of Riverhead for liability insurance coverage.

NOW, THEREFORE, BE IT

RESOLVED, that Hampton Custom Floors & Blinds be and is hereby authorized to hold a tent sale from August 21, 1986, through August 24, 1986, at premises located at 1098 Route 58, Riverhead, New York; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Hampton Custom Floors & Blinds, 1098 Route 58, Riverhead, New York and the Police Department.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

07/3/86
RESOLUTIONS Continued

#449 AUTHORIZES TOWN CLERK TO COMPLETE STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION FORM TE-9.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the speed limits as set by the State of New York Department of Transportation on the below mentioned roads should be reviewed; and

WHEREAS, it is necessary that this Board authorize the Town Clerk to file Form TE-9 with the State of New York Department of Transportation.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to file with the State of New York Department of Transportation Form TE-9 on the following roads requesting that the speed limits be determined as follows:

Pier Avenue	30 mph
Middle Road	35 mph
Mill Road (between Rout 58 and Route 25)	30 mph
Hubbard Avenue	35 mph

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#450 AUTHORIZES OPEN-AIR STREET FAIR FOR THE POLISH TOWN CIVIC ASSOCIATION.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, the Polish Town Civic Association has made an application to hold an open-air street fair to be held on August 16, 1986 and August 17, 1986, on Pulaski Street, Lincoln Street and Osborn Avenue, Riverhead, New York; and

WHEREAS, an application has been made to suspend the Riverhead Alcoholic Consumption Ordinance for August 16, 1986 and August 17, 1986; and

WHEREAS, a Certificate of Insurance has been received by the Town of Riverhead for liability insurance coverage.

NOW, THEREFORE, BE IT

RESOLVED, that the Polish Town Civic Association be and is hereby authorized to hold an open-air street fair on August 16, 1986 and August 17, 1986, on Pulaski Street, Lincoln Street and Osborn Avenue, Riverhead, New York; and be it further

RESOLVED, that the Riverhead Alcoholic Consumption Ordinance be suspended during August 16 and August 17, 1986; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Polish Town Civic Association, P.O. Box 972, Riverhead, New York, and the Police Department.

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RESOLUTIONS Continued

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#451 TRANSFER OF FUNDS - GENERAL FUND.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Supervisor be and hereby is authorized to transfer the following:

GENERAL FUND

	<u>FROM</u>	<u>TO</u>
A1990.400 Contingency	\$150,000.00	
A7180.200 Equipment-Recreation	500.00	
A1010.450 Surveys and House Numbers		\$ 12,700.00
A1910.420 Unallocated Insurance		127,000.00
A1950.400 Taxes on Town Property		4,850.00
A3120.448 Parking Meter Summons-Police		450.00
A3620.420 Safety Inspection Office Supplies		1,000.00
A5010.405 Bldg. Maint. & Supplies-Transport. Admin.		4,000.00
A7140.200 Equipment-Recreation		500.00

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#453 TRANSFER OF FUNDS - GENERAL FUND.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Supervisor be and hereby is authorized to transfer the following:

<u>GENERAL FUND</u>	<u>FROM</u>	<u>TO</u>
A4210.405 Consultants	\$600.00	
A4210.401 Supplies & Materials		\$600.00

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#452 TRANSFER OF FUNDS - GENERAL FUND.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Supervisor be and hereby is authorized to transfer the following:

RESOLUTIONS ContinuedGENERAL FUNDFROMTO

Recreation Department

A7180.200 Equipment

\$500.00

A7140.200 Equipment

\$500.00

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#454 AUTHORIZES PLANNING BOARD AND ZONING BOARD OF APPEALS CHAIRMAN AND MEMBERS TO ATTEND PLANNING AND ZONING INSTITUTE.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

BE IT RESOLVED, that the Chairman and Members of the Zoning Board of Appeals and Planning Board be and are hereby authorized to attend the New York Planning Federation 48th Annual Planning and Zoning Institute on September 28-30, 1986 at Kutshers Country Club, Monticello New York and that they be reimbursed for all expenses incurred pursuant thereto from the budgets of the Zoning Board of Appeals and Planning Board respectively.

BE IT FURTHER RESOLVED, that Councilman Robert Pike is hereby authorized to attend said Institute on September 28-30, 1986.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#455 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD, RE: PART-TIME EMPLOYMENT COUNSELOR.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Help Wanted Ad for a Part-Time employment counselor with the Riverhead Teen Center/Riverhead Town Hall.

HELP WANTED AD

PLEASE TAKE NOTICE that the Town of Riverhead is seeking qualified individuals to serve in the position of Part-Time Employment Counselor. Applicants must have 2-4 years of experience in counseling or social work. Interested individuals must submit an application to the Accounting Department, 200 Howell Avenue, Riverhead, New York between the hours of 8:30 a.m. and 4:30 p.m. weekdays. No applications for this position shall be accepted after August 15, 1986. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age and handicapped status in employment of the provision of services.

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RESOLUTIONS Continued

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#456 CALLS FOR MORATORIUM ON WEST LANE, AQUEBOGUE.

Councilman Pike, "456 addresses a series of requests from a number of members of the Board and from the Planning Board both last Fall and this Spring to rezone an area that is zoned industrial to either residential "A" or agricultural "A". This moratorium gives us a little more time in which to complete the formal requirements of changing the zone out of industrial into agricultural "A".

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, the Town Board of the Town of Riverhead has referred to the Planning Board for their review and recommendation the rezoning of the Industrial A Zone, West Lane, Aquebogue, New York, more particularly shown on the attached Exhibit "A"; and

WHEREAS, the Planning Board has made the recommendation and the Board desires to cause the necessary proceedings to be had concerning the rezoning of West Lane, Aquebogue, New York; and

WHEREAS, the Town Board desires to place a moratorium on all applications for special permits, use permits, building permits and site plan applications.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead places a moratorium on the Industrial "A" Zone as show on the attached exhibit* known as West Lane, Aquebogue, New York, for a period of 90 days from the date hereof covering all applications for special permits, use permits, building permits and site plan applications; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish this resolution in the Riverhead News-Review and to post same; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Conservation Advisory Committee, Zoning Board, Building Department, Planning Board and the Suffolk County Planning Commission.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#457 ADOPTS RESOLUTION AMENDING CHAPTER 108 OF THE RIVERHEAD TOWN CODE.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, a public hearing to amend Chapter 108 of the Riverhead Town Code by adding Section 108-97.6 was held on the 17th day of June, 1986; and

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RESOLUTIONS Continued

WHEREAS, all persons wishing to be heard, addressed this Board at said public hearing; and

NOW, THEREFORE, BE IT

RESOLVED, that the addition of Section 108-97.6 to Chapter 108 of the Riverhead Town Code be adopted as follows:

No final major subdivision plat shall be signed by the Chairman of the Planning Board until a fee equal to an amount of five (5%) percent of the total cost of the estimated improvements as estimated by the engineering consultant of the Planning Board shall be paid to the Town of Riverhead. Such fee shall be diminished in an amount equal to all engineering fees previously paid pursuant to Section 108-97.5 herein above.

and be it further,

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post this resolution once in the Riverhead News Review; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Planning Board.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#458 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: AMENDMENT RIVERHEAD TOWN CODE.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to amending the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of August, at 7:55 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending the Riverhead Town Code Section 108-27(A) (3) by deleting "boardinghouse" from the permitted uses.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#459 APPROVES SITE PLAN OF ROUTE 347 REALTY.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

RESOLUTIONS Continued

WHEREAS, a site plan and elevations were submitted by Route 347 Realty for the renovation of a building for the use of retail and office space to be located at the corner of West Main Street and Roanoke Avenue, Riverhead, New York; and

WHEREAS, this Town Board has reviewed the site plan dated June 16, 1986, as prepared by Young & Young, Licensed Land Surveyors, and elevations dated July 10, 1986, as prepared by Gary D. Cannella, Assoc., Architects & Planners.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Route 347 Realty for the renovation of a building for the use of retail and office space to be located at the corner of West Main Street and Roanoke Avenue, Riverhead, New York, site plan dated June 16, 1986 as prepared by Young & Young, Licensed Land Surveyors, and elevations dated July 10, 1986, as prepared by Gary D. Cannella, Assoc., Architects & Planners, be and are hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

4. That the applicant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

5. That receptacles of a decorative design shall be maintained at the premises;

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, the execution and filing of this document, Route 347 Realty, hereby authorizes the Town of Riverhead to enter premises at the corner of West Main Street and Roanoke Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code with regard to type, thickness and grade;

8. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

9. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

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RESOLUTIONS Continued

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter Danowski, Esq., Attorney for the applicant, and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of August, 1986, by JOHN MCNAMARA, residing at _____, Declarant.

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto as provided by the Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all time, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

4. Trash receptacles of a decorative design shall be maintained at the premises;

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

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RESOLUTIONS Continued

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness and grade;

7. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

8. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

Declarant has hereunto set his hand and seal the day and year above first written.

JOHN MCNAMARA

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of August, 1986, before me personally came JOHN MCNAMARA, the owner of certain real property located at the corner of West Main Street and Roanoke Avenue, Riverhead, New York, the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#460 AUTHORIZES SUPERVISOR TO SIGN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION RELATIVE TO CURBING, PAVEMENT AND ASPHALT WORK.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the Riverhead Town Board has agreed to complete a comprehensive renovation of the sidewalk area with the Riverhead Downtown and

WHEREAS, the State of New York Department of Transportation is completing work within the Riverhead Downtown which includes the installation of new sidewalks, and

WHEREAS, there exists an opportunity for the Town of Riverhead to coordinate with the New York State Department of Transportation to allow the preparation work for the future installation of brick highlight;

NOW THEREFORE, BE IT

8/5/86
RESOLUTIONS Continued

RESOLVED, that the Town Board of the Town of Riverhead authorize the Supervisor to enter into an agreement with the New York State Department of Transportation to pay for additional curbing, pavement, and asphalt work relative to Capital Project Identification Number 0041.69.301, in order to allow for installation of brick highlight. This additional work will not exceed \$31,500; including construction and engineering costs.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#461 SETS LOCATION OF OFFICES OF THE JUVENILE AID BUREAU.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

BE IT RESOLVED, that the location of the offices of the Juvenile Aid Bureau shall be the lower level office space at Riverhead Town Hall.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, no.

The resolution was thereupon duly declared adopted.

#462 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS RE: TRUCK WEIGH STATION AND AUXILIARIES.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

BE IT RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for a truck weigh station and auxiliaries for use of the Riverhead Landfill, and

BE IT FURTHER RESOLVED, that specifications and forms for bidding be prepared and bids be returnable up to 11:00 a.m. on August 25, 1986 and be it further

RESOLVED, that the Town Clerk be and is hereby designated to open publicly and read aloud on August 25, 1986 at 11:00 a.m. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York all sealed bids bearing the designation "Truck Weigh Station and Auxiliaries".

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Henry, you want to be recognized?"

Henry Pfeiffer, Wading River, "Yes. Before you get to 463 and 464 regarding the site plans of Victor Pafundi, I'd like to refer back to your correspondence; Peter Danowski observing that since there was no action within 60 days pursuant

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RESOLUTIONS Continued

Henry Pfeiffer, Continued

to this matter and so forth automatically comes up. I recall we had a public hearing, quite a few public hearings, and I don't know whether the town code considers this action taken in pursuit of this and I want to know whether or not the approval or disapproval of these permits will be based upon this lapse or whether the vote would be upon the merits of the circumstances."

Supervisor Janoski, "Well Vic, this is one of the questions that I let my mouthpiece answer."

Richard Ehlers, "Mr. Pafundi's application was for a special permit of the Town Board and that special permit then required him to go to the Zoning Board to seek certain variances for condominium units. The Town Board granted the special permit for a number of units. And it was then his obligation to go to the Zoning Board for certain variances. The Zoning Board denied his application for the variances and no appeal that I'm aware of has yet been taken from that position. He had alleged that site plans for a motel facility and a restaurant were also submitted to the Building Department for referral by the building department to the Town Clerk who would in turn refer them to the Town Board. Motel and restaurant are permitted uses in that area and do not require special permits. So those applications for a site plan are could argueably proceed on their own. Based on my own review of the Town Clerk's file, there was no referral from the Building Department to the Town Board which would have triggered a 60 day period. These are new applications which argueably rise or fall on their own merits and are not required by any 60 day rule. The 60 day rule in any event, would not require an affirmative vote by the Board. There would be a mechanical act or a procedural act, I should say administratively act requiring a certificate from the clerk that in fact it was filed and forwarded on a particular day and that that time has lapsed."

Supervisor Janoski, "Proceed."

#463 APPROVES SITE PLAN OF VICTOR PAFUNDI FOR THE CONSTRUCTION OF A MOTEL.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, a site plan and elevations were submitted by Victor Pafundi for the construction of a motel to be located at the intersection of Front Street and South Jamesport Avenue, South Jamesport, New York; and

WHEREAS, this Town Board has reviewed the site plan dated January 29, 1986 and more recently revised August 1, 1986 to include a planting schedule, as prepared by Donald A. Denis, A.I.A., and elevations dated April 3, 1986 and more recently revised to describe the facade of the structure, as prepared by Donald A. Denis, A.I.A., be and are hereby approved, subject to the following:

RESOLUTIONS Continued

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

4. That the applicant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

5. That receptacles of a decorative design shall be maintained at the premises;

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Victor Pafundi, hereby authorizes the Town of Riverhead to enter premises at the intersection of Front Street and South Jamesport Avenue, South Jamesport, New York, to enforce said handicapped parking regulations;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code with regard to type, thickness and grade;

8. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways.

9. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

10. That the applicant receive all necessary approvals from the New York State Department of Environmental Conservation.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter Danowski, Esq., as Attorney for the applicant, and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of August, by Victor Pafundi, residing at _____, Declarant.

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto as provided by the Declarant; and

8/3/88
RESOLUTIONS Continued

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse, Disposal", and agrees to abide by same;

4. Trash receptacles of a decorative design shall be maintained at the premises;

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code with regard to type, thickness and grade;

7. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

8. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

9. That the applicant receive all necessary approvals from the New York State Department of Environmental Conservation.

Declarant has hereunto set his hand and seal the day and year above first written.

VICTOR PAFUNDI

8/5/86
RESOLUTIONS Continued

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of August, before me personally came Victor Pafundi, the owner of certain real property located at the intersection of Front Street and South Jamesport Avenue, South Jamesport, New York, the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

Councilman Prusinowski, "We did make revisions in the site plan. Noticibly on the first stage with some architectural designs. On the second stage we had required as recently as August 1st, 1986, some more revisions on certain landscaping aspects of the application. This resolution has all the standard approval language for every site plan we do in the Town of Riverhead. And I'll read two that is significant for this application. Drainage and parking shall be provided pursuant to Riverhead Town Code and number 10, that the application shall receive all the necessary approvals from the New York State Department of Environmental Conservation. With that, I move resolution #463."

Councilman Pike, "Before I vote, just a few brief comments. I think we're entirely premature to move ahead on this but I'm being outvoted no matter what I do. The applications for these particular designs and site plans have just recently arrived on our desks. The first one is a testimony to a very good architect's ability to get as much square footage of motel on a piece of property as he can and still make an argument that he's in compliance with the code. It's totally inconsistent with the recommendations made in the plan for the coastal areas that continues to fail to be adopted by this Board. It's unfortunate that we did not do on this property what we just did on West Lane and find some reasonable alternative use for the property. I would have supported a moratorium four months ago. And I would point out to the community group that at one point, we got a letter out of them saying that they would not support a moratorium on this property. So there's plenty of everything to go around for everybody here. I vote no."

The vote, Boschetti, absent, Pike, no, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Prusinowski, "Personally, I grew up in this neighborhood. And quite honestly, I'm very disappointed in some of the neighbors throughout this whole process. There is a better use for this property. That is residential which was an application before us which I voted for; condominiums. Less services to the town, less traffic to the neighborhood. A gentleman just pointed out to me about South Jamesport Avenue. You

RESOLUTIONS ContinuedCouncilman Prusinowski, Continued

haven't seen anything yet because years and years ago we had all the bars and all the businesses in that neighborhood in full swing. Fortunately, one business (The Kurks) has been converted into residential use. Fortunately. There's one active bar at the end which has been there for 50 years. And there is two other bars. One has closed down and lost it's use and the other one is in operation. Fortunately for the neighborhood. I'm in favor of rezoning the area, the entire business district down in that area to conform to residential neighborhood. The motel is not the best option for the neighborhood nor is the restaurant. The restaurant is the most enjoyable. I think it would be one of the finest restaurants on the east end. And contrary to what you believe, I was in the bar business for a while. People will trave out of the way to see a good location. Ask the people at the Lobster Inn. They had tremendous problems when they built Indian Cove. They spent hundreds of thousands of dollars complying. And if the money is there, I understand though however, it's the motel that has the most possible chance of being developed. I'm a little bit disappointed myself. Quite honestly, I think some of the reason the opposition grew was that the view of the area would probably be disturbed because you can see the water. I sympathize with that. On the other hand, we have real problems in the town as far as our tax base growth. We are in the process of rezoning, preserve the open space. We're on the side of the Town of Riverhead. I'm not on the side of the developer. You know, all throughout this whole thing, I've kind of heard over and over again innuendos that Town Board members have something personal to gain from this. We're trying to run the town in the best interest for all of us, including myself because I'm not going to be on the Town Board forever. And what we do today, effects us for 20 years to come and yes, I'm disappointed. On the other hand, this gentleman has the application in here. He appears (to me) to be a sincere person. I don't know him to be dishonest. However, time will bear me out. I vote yes."

#464 APPROVES SITE PLAN OF VICTOR PAFUNDI FOR THE CONSTRUCTION OF A RESTAURANT.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, a site plan and elevations were submitted by Victor Pafundi for the construction of a restaurant to be located at the intersection of Front Street and South Jamesport Avenue, South Jamesport, New York; and

WHEREAS, this Town Board has reviewed the site plan dated January 29, 1986 and more recently revised August 1, 1986 to include a planting schedule, as prepared by Donald A. Denis, A.I.A., and elevations dated March 24, 1986 and more recently revised to describe the facade of the structure, as prepared by Donald A. Denis, A.I.A.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Victor Pafundi for the construction of a restaurant to be located at the intersection of Front Street and South Jamesport

07/3/86
RESOLUTIONS Continued

Avenue, South Jamesport, New York, site plan dated January 29, 1986 and more recently revised august 1, 1986 to include a planting schedule as prepared by Donald A. Denis, A.I.A., and elevations dated March 24, 1986 and more recently revised to describe the facade of the structure, as prepared by Donald A. Denis, A.I.A., be and are hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

4. That the applicant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

5. That receptacles of a decorative design shall be maintained at the premises;

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Victor Pafundi, hereby authorizes the Town of Riverhead to enter premises at the intersection of Front Street and South Jamesport Avenue, South Jamesport, New York, to enforce said handicapped parking regulations;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code with regard to type, thickness and grade;

8. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

9. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

10. That the applicant receive all necessary approvals from the New York State Department of Environmental Conservation.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter Danowski, Esq., as Attorney for the applicant, and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of August, by Victor Pafundi, residing at _____, Declarant.

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto as provided by the Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage as proposed shall be coordinated in appearance and design;

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

4. Trash receptacles of a decorative design shall be maintained at the premises;

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness and grade;

7. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

8. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

9. That the applicant receive all necessary approvals from the New York State Department of Environmental Conservation.

07/31/86
RESOLUTIONS Continued

Declarant has hereunto set his hand and seal the day and year above first written.

VICTOR PAFUNDI

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of August, before me personally came Victor Pafundi, the owner of certain real property located at the intersection of Front Street and South Jamesport Avenue, South Jamesport, New York, the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

The vote, Boschetti, absent, Pike, no, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#465 AMENDS SITE PLAN APPROVAL OF GEORGE MALVESE & CO.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, on July 7, 1983 by Resolution #391, this Town Board did approve the site plan of George Malvese & Co., and

WHEREAS, George Malvese & Co. has now submitted an amended site plan designation a rear storage yard at their facility located at Route 58, Riverhead, New York, and

WHEREAS, this Town Board has reviewed the amended site plan most recently dated May 13, 1986, as prepared by Jerome D'Amaro, Professional Engineer and Land Surveyor.

NOW, THEREFORE, BE IT

RESOLVED, that the amended site plan of Geroge Malvese & Co. most recently dated May 13, 1986, as prepared by Jerome D'Amaro, Professional Engineer and Land Surveyor, to show a rear storage yeard at their facility located at Route 58, Riverhead, New York, be and is hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;

RESOLUTIONS Continued

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

4. That the applicant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish, and Refuse Disposal", and agrees to abide by same;

5. That receptacles of a decorative design shall be maintained at the premises;

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, George Malvese, hereby authorizes the Town of Riverhead to enter premises at Route 58, Riverhead, New York, to enforce said handicapped parking regulations;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code with regard to type, thickenss and grade;

8. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

9. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Al Cooley, Malvese & Co., Route 58, Riverhead, NY 11901 and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of August, by George Malvese, residing at _____, Declarant.

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto as provided by the Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

RESOLUTIONS Continued

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the siad premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

4. Trash receptacles of a decorative design shall be maintained at the premises.

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness and grade;

7. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

8. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

9. That the applicant receive all necessary approvals from the New York State Department of Environmental Conservation.

Declarant has hereunto set his hand and seal the day and year above first written.

GEORGE MALVESE

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of August, before me personally came George Malvese, the owner of certain real property located at Route 58, Riverhead, New York, the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

07/37/86
RESOLUTIONS Continued

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#466 CALLS PUBLIC HEARING TO AMEND SECTION 105 OF THE RIVER-
HEAD TOWN CODE.

(See Water District Minutes)

#467 SETS COMPENSATION FOR WM. MULLEN AS INSURANCE CONSULTANT.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, William F. Mullen serves as insurance consultant to the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that Wm. F. Mullen be compensated at the rate of \$600 per month effective June 30, 1986, and

BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this resolution to Wm. F. Mullen and the Accounting Office.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#468 RESOLUTION OF 202-b PROCEEDING RE: EXTENSION 35.

(See Water District Minutes)

#469 ORDER CALLING PUBLIC HEARING RE: EXTENSION 35.

(See Water District Minutes)

#470 AUTHORIZED TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC
HEARING, RE: AMENDMENT TO RIVERHEAD TOWN CODE, SECTION
108-67.1, "MERGER OF LOTS".

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to amending the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of August, 1986, at 9:05 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons with regard to amending Chapter 108, by adding Section 108-67.1 of the Riverhead Town Code as follows:

07/3/86
RESOLUTIONS Continued

108-67.1. Merger of Lots.

Whenever two (2) or more parcels of property which abut at a common course and distance shall be held in the same ownership, such parcels shall be termed "merged" to form one whole lot.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#471 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: AMENDMENT TO RIVERHEAD TOWN CODE.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to amending the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of August, 1986, at 8:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to adding Section 108-110 to the Riverhead Town Code, Chapter 108, as follows:

108-110. Yield.

Any other provision of Chapter 108 notwithstanding, the Planning Board shall, in all cases, determine the yield of residential units as defined herein, which determination shall be binding upon all boards and departments of the Town of Riverhead. In no event shall the determination of the Planning Board be greater than the yield shown on a yield map prepared by a duly licensed land surveyor, which map shall show all Town and State wetlands, beach area, bluff area and slopes of greater than 20% which areas shall not be included in the area contained in the yeild.

The Planning Board may diminish the yeild below that indicated by the yield map where ecological or practical considerations warrants such a reduction.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#472 APPROVES SPECIAL PERMIT OF KIMBROOKE ENTERPRISES.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

07/37/00
RESOLUTIONS Continued

WHEREAS, an application was made for a special permit by Kimbrooke Enterprises, Inc., also known as Seawatch Landing, (hereinafter referred to as Kimbrooke), for 165-unit condominium development, tennis court and restaurant facility with beach access to be located on a 55-acre parcel of wooded, shorefront land East of Iron Pier in the Town of Riverhead, and

WHEREAS, such property is presently zoned Business A (Resort Business); and

WHEREAS, the Town Board of the Town of Riverhead, having declared itself lead agency, has caused the preparation and completion of a final Environmental Impact Statement according to the New York Environmental Quality Review Act; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the special permit applied for will be a Type II action without significant impact upon the environment pursuant to the State Conservation Environmental Law.

WHEREAS, that the Town Board finds and determines that:

1. The applicant of Kimbrooke is the owner of a 55 acre parcel of land located in the Business A zoning district which permits the construction of condominium units with special permit of the Town Board;

2. That the density provided in the Business A zone calls for a maximum density if all of the subject parcel were buildable without referring to environmental concerns and physical features for 165 units;

3. Based upon a review of the Environmental Impact Statement and an analysis of the physical features of the 55-acre site, it is apparent that there are approximately 32 buildable acres. This calculation accounts for heavily wooded land, bluffs, steep slopes, wetlands, lands under water and buffer zones;

4. Domestic water supply must be a municipal water system;

5. The site plan must provide for a 100-foot buffer from the pond/wetland and buffer area as a minimum set back;

6. The clustering of the condominium units will preserve open space; and

7. The use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood;

8. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town;

9. The health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use;

10. Such use will be in harmony with and promote the general purposes and intent.

NOW, THEREFORE, BE IT

RESOLVED, that the special permit of Kimbrooke for the construction of 95 condominium units, restaurant and tennis courts East of Iron Pier, on the 55-acre site be approved subject to the following conditions and requirements:

RESOLUTIONS Continued

1. The maximum number of units to be constructed on the site shall not exceed 95 dwelling units and that no such dwelling units shall have no more than two (2) bedrooms;
2. Kimbrooke shall petition the Riverhead Water District to extend service of the Riverhead Water District upon such terms as the Town Board, in its sole discretion as governing body of the Riverhead Water District, shall require;
3. Kimbrooke shall make application to the Riverhead Planning Board for a construction map approval and shall assist the Planning Board in all phases of review, including submission to the Suffolk County Planning Commission;
4. On-site waste water disposal shall comply with the Suffolk County Health Department recommendations;
5. Kimbrooke shall submit a site plan which shall minimize the environmental impact during construction and use on those areas designated on the Environmental Impact Statement as sensitive;
6. The site plan must be approved by the Town Board of the Town of Riverhead. The architecture of the buildings must be approved by the Riverhead Town Board after submission of detailed architectural elevations;
7. No beach access shall be permitted until approval is granted by the Department of Environmental Conservation and until approved by the Riverhead Town Board.
8. Access from the parcel to Sound Avenue shall be upon application to and permit of the Highway Superintendent of the Town of Riverhead.
9. No vehicles shall travel on the bluffs during or after construction.
10. The Town Board retains jurisdiction to impose the duty upon Kimbrooke to record such covenants running with the land as the Board determines to be necessary during each and every phase of the site plan and condominium approval access; and be it further

RESOLVED, that the Town Clerk is authorized to forward a certified copy of this resolution to Kimbrooke Enterprises, Inc., Building Department, Planning Board and the Board of Assessors.

Councilman Pike, "Before voting on this one, I want to say that this one was hammered out by the Town Board. And I particularly want to thank the Conservation Advisory Council for the extensive work they did which was one of the first projects we looked at since I've been here and they really did hammer this thing down into far more reasonable shape than it was first presented. I want to congratulate them on their efforts by voting yes."

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#473 RESOLUTION EXTENDING MORATORIUM ON PROPERTY LOCATED IN THE BUSINESS "B" AND BUSINESS "C" ZONING DISTRICTS.

RESOLUTIONS Continued

WHEREAS, Resolution #266 Calling for a Moratorium on Property in the Business "B" and Business "C" Zoning Districts was adopted by the Town Board of the Town of Riverhead on May 12, 1986; and

WHEREAS, premises located at the intersection of Route 25 and Fresh Pond Avenue, at Calverton, in the Town of Riverhead, New York, are currently zoned Business "B", a copy of that portion of the zoning map is annexed hereto as EXHIBIT "A"; and

WHEREAS, premises located on Sound Avenue at the intersection of Park Road, in the Town of Riverhead, New York, are currently zoned Business "C", a copy of that portion of the zoning map is annexed hereto as EXHIBIT "B"; and

WHEREAS, premises located at the intersection of Route 25 and Bay Road, at Laurel, in the Town of Riverhead, New York, are currently zoned Business "C", a copy of that portion of the zoning map is annexed hereto as EXHIBIT "C"; and

WHEREAS, the Town Board continues to desire to refer to the Planning Board for their consideration of the above property from their current zone to Business "CR" in recognition of the character of the premises and the surrounding area; and

WHEREAS, during the process of the consideration of the recommendation, it is desirable that no action be taken by any Town of Riverhead agencies or departments for the construction or use of the premises located within the aforementioned zoning districts until evaluation of the recommendation has been completed by the Planning Board.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board be and is hereby authorized to place an extension of 90 days on the current moratorium upon all Town departments and agencies from considering any applications for use of or construction on the premises located within the aforementioned districts, except those applications which comply with the requirements of the Business "CR" District; and be it further

RESOLVED, that the Town Board hereby continues to refer to the Planning Board for their consideration to change the zoning on the premises described in EXHIBITS "A", "B", and "C" from their current zoning classifications to Business "CR"; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to publish and post this resolution and to forward a certified copy of same to the Planning Board.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Prusinowski, "With this resolution, just for the record, and I think it has to be said tonight; is that we have addressed every major business district in this town that I know of to rezone it so that Riverhead does not turn into what I see on a daily basis when I travel west for Suffolk Life doing business. I never want Riverhead to turn into something like that and it won't. And the fact that if you read in the local papers, that we had a go around with a guy in Aquebogue who

RESOLUTIONS ContinuedCouncilman Prusinowski, Continued

wanted to change his sign that did not conform with what we thought should be there in country rural. It means we're serious about this and we're not going to be pushed around by these developers."

#474 APPOINTS GARY CHAPMAN AS SPECIAL POLICE OFFICER.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that GARY CHAPMAN be and is hereby appointed the position of Special Police Officer at the hourly rate of compensation of \$5.50 effective August 5, 1986.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#475 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: PROPOSED CHANGE OF ZONE, WEST LANE, AQUEBOGUE, NEW YORK.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to the proposal of the Town Board of the Town of Riverhead to re-zone premises of West Lane, Aquebogue, New York, as designated in Exhibit "A", currently zoned Industrial A to Residence A.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of August, 1986, at 9:00 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the proposal of the Town Board of the Town of Riverhead to rezone premises of West Lane, Aquebogue, New York, as designated in Exhibit "A", currently zoned Industrial A to Residence A.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#476 ADOPTS AMENDMENT TO CHAPTER 101-10 OF THE RIVERHEAD TOWN CODE, RE: "PARKING, STANDING AND STOPPING PROHIBITED" ON WEST STREET.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLUTIONS Continued

WHEREAS, a public hearing was held on the 5th day of August, 1986, wherein all persons wishing to be heard were heard regarding the amendment to Chapter 101-10 of the Riverhead Town Code, re: "Parking, Standing and Stopping Prohibited".

NOW, THEREFORE, BE IT

RESOLVED, that the following amendment shall be made to Chapter 101-10 of the Riverhead Town Code by adding the following:

Chapter 101-10 Parking, standing, stopping prohibited.

STREET	SIDE	LOCATION
<u>West Street</u>	<u>Both</u>	<u>Entire length</u>

and be it further

RESOLVED, that this amendment shall take effect ten (10) days after publication, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#408 APPOINTS ADDITIONAL INDIVIDUALS TO THE POSITION OF CORRECTION OFFICER I.

Councilman Prusinowski offered the following resolution to be brought off the Table for Town Board action which was seconded by Councilman Lombardi.

WHEREAS, by resolution #267 of May 12, 1986, this Town Board did appoint ten individuals to the part-time position of Correction Officer I, and

WHEREAS, since that time, several of the individuals appointed have advised Chief of Police Palmer of their inability to serve in that position, and

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to the part-time position of Correction Office I effective immediately at the hourly rate of compensation of \$5.00.

MARION MAZZO
CHRISTINE SARGENT
MARIE DUNLEAVY
NADIA MOORE
AGNES TERRY
KATHLEEN VONATZSKI
VICTORIA VOURAKIS
DONNA SIEVERS

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Chief Palmer and the Accounting Office.

RESOLUTIONS Continued

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared brought off the Table for action.

Councilman Prusinowski, "The reason we tabled the resolution, the personell committee had some questions with the Police Department as to the hiring of ten part-time matrons to supervise prisoners in the jailhouse. After consulting with the Police Department and the Accounting Department, our concerns were fully answered. Is that correct? So we would like to hire these people because they need them over there."

Councilman Pike, "The list hasn't changed?"

Councilman Prusinowski, "No. The list hasn't changed."

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The above resolution was thereupon duly declared adopted.

Supervisor Janoski, "Betty."

Betty Brown, Jamesport, Spoke from audience, INAUDIBLE.

Supervisor Janoski, "No Betty. I didn't. As a matter of fact, I opened the meeting about three times for public comment. You were here."

Betty Brown, "Well there's a portion here of allotted time. I thought you were going to get to it, so I waited."

Supervisor Janoski, "I did get to it."

Betty Brown, "I just have three brief comments. One was just a comment to Vic Prusinowski's comment about getting tough in the country rural section of the town. And I was wondering if he meant that allowing condominiums to litter the countryside and getting tough with the sign owners, is what you thought keeping the area rural meant."

Councilman Prusinowski, "No Betty. I'm glad you brought that subject up because I'd like to address it with you. What we don't want in Riverhead is to have all the open space that we have available made into single family homes. We had a public hearing here several years ago which you and other people opposed; mandatory clustering for certain zones. You didn't understand it. At that time you thought we were doing something to aid the developers. If you want to make Riverhead what I see every day in Huntington, Smithtown, Brookhaven town, be my guest. In my opinion and it's also the opinion of the Planning Board, Suffolk County Department of Planning, who I have a lot of contact with, some type of condominium developments are much more

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PERSONAL APPEARANCES Continued

Councilman Prusinowski, Continued

and a better alternative to some of the growth that you would experience that you see going on in western suffolk. First of all, the type of people that are buying these type of condominium projects, especially on the water, intend to use these as second family homes, vacation homes. Right now with the I.R.S. code, it would probably be the only other thing to write off up to a certain amount. So people will buy the condos up at the Flagg Country Club which most likely (and we can bear this out right now with the project we had approved) probably wouldn't be sending a lot of kids through the school district. As far as the traffic in that particular neighborhood, you can not tell me that having twelve condominium units there is going to generate more traffic than business. No way. Absolutely no way and I want to see it on black and white. As far as the density in that neighborhood, the condominium units, I am very suspicious that if we did a detailed analysis and if everybody who was willing to come across with the information including Mrs. Kurks formal establishment there as far as the density goes down there, I think the density will be pretty close. The number of units were close. Some people wanted nine. Some people wanted twelve. Littering the countryside with condos, no I don't want Riverhead to be littered with the countryside with condos. But on the other hand, you can not stop the growth, preserve the open space, don't let the tax base rise and not have some type of controlled growth. I'm not saying we want to develop Riverhead haphazardly. Riverhead is in the best position of any town that I know of in Suffolk County now. We have the opportunity to plan properly for twenty years. You know, I drive up west every day and I'm stuck on Centereach, the roads that go north and south and you have to be up there on a regular basis to see what I see. Believe me, I don't want Riverhead to turn into that. Plus, we're working on some things now that I don't really want to make public at the present time because it would be premature which Councilman Pike and I are involved in with the agricultural committee which I think will be a positive step in helping Riverhead. And finally; the best news that we have is the community is that unfortunately somebody else's plight in another part of the country is doing the best farm preservation that I know of. It's giving the farmers the chance to make some money. And if the potato prices come back where the guys who are unfortunately now are most predominately in potato production, can make some money. The pressure to sell their land will not be there and that's how you're going to preserve the farming industry. Change the type of marketing that the farmers need to make money, different products and so forth. Get them out of this two hundred acre potato farming type of concept and also hopefully, that they can make some money. No. We don't want to litter the town. And believe me, you know, getting tough whether it's on the sign or it's on Route 58, we have tried our best to get tough. Sure I'm sure there's a lot of people that say no growth. Well, that's fine. I grew up here in the 60's and 70's when things were terrible in this town. You couldn't get a job, people moved away. My sister lives in Boston. So we've been through it both ways. And the families who were here

PERSONAL APPEARANCES ContinuedCouncilman Prusinowski, Continued

for all these years working, struggling, going bankrupt, owing money to the federal land bank, the production credit, to Agway, who couldn't pay their bills, had to sell their land short, now sit back like my family does and see the former farm of Leon's getting proposed. I hear rumors of fifteen million dollars. Well we sold out just for the mortgage and after sixty years of working, they got nothing for it. So I understand what goes on here. No. We don't want to roll over and play dead to developers. In fact, I was in the Building Department today. A guy was yelling and screaming. What kind of a town is this? What's this "Country Rural"? I want to do what I want to do and blah, blah, blah. You know, it's a lot of pressure on both sides and we're trying to do what's best for the town. Believe me. Believe me. "because I want to live here too. I bought a piece of property. I live in this town and I want it to be the best town in Suffolk County and that's not rhetoric."

Betty Brown, "The residents would also like to have some input in the future and slow growth of their towns and that's being overlooked by the Board."

Councilman Prusinowski, "It's being overlooked. I take exception to that. It's wrong. It's not being overlooked. I get more input on a daily basis. John and I were talking about it today. There was a proposal coming up to have a procedure, special permit or something taken away from us and giving it to the Zoning Board of Appeals. I would never vote for that because when I went to the Barbeque at St. Isidores I get more input walking around those tables, talking to people who say; what's going on here? What are you doing about this and so forth and so on. We're human beings. We respond to that type of pressure whether it's me or whether it's Mr. X or it's Greg Blass. I'm using him as a name. You know. I don't buy that. We have public hearings. Progress has been made. We have done more rezoning in the last six years and I'll include Allen's time and ten years, then previous Town Boards did in twenty years around here and it's for the good. And don't keep referring to that master plan. If you really read the master plan,..."

Betty Brown, "I never mentioned the master plan."

Councilman Prusinowski, "No. Not you but I'm saying if you really read that master plan, that master plan is out dated. That is what we're trying to correct it for. We're trying to respond to the 1986 times here. Very easy to get up there and say; you're not listening to us. We're listening, believe me."

Betty Brown, "Well I don't find it very easy. It was very difficult to come out tonight. I have lots of other things to do. And I think it's very difficult to establish rural character of a community by bringing in these glorified tenements that are three and four...."

PERSONAL APPEARANCES Continued

Councilman Prusinowski, "You don't like condominiums. Period."

Betty Brown, "Me and lots of other people."

Councilman Prusinowski, "Ok. Fine. I'm not saying they are the answer to the town. But I'll tell you a lot of the people that don't like the condominiums also came out here, bought property that was less than a half acre, paid 49 thousand dollars for it and not everybody has to move to Riverhead. But that's a great deal. Those days are gone unfortunately in this town because the young people in this town who have jobs, now they can get jobs. I see it every day at the plant. There's no place to live. Suffolk County has a housing shortage. Now if we dare propose like Augusta Schneider or townhouses in the 69, 99 or 119 thousand dollar range. Everybody is against it. Where is people going to live? Fine. Then we'll turn them all down. We don't want that and they'll have to move out of the area. That's ok. My sister lives in Boston."

TAPE ENDED

Betty Brown, "Some of the residents of Jamesport including myself have come down to the Building Department looking for these site plans to see what they look like and we're worried about the kind of building that he was going to do and would it fit into the area and keep the country character. We were told on several occasions that there were none. They were not submitted yet. They were not in Town Hall. Jane Stromski told me. I don't know about the other residents. We find it hard to deal with this kind of thing. We think your books and your papers should be in order when we come down. I don't know what kind of mickeymouse games are going on in the Building Department but they should be there for us..."

Supervisor Janoski, "Hold it Betty. You know Betty."

Betty Brown, "Where were the site plans when I first came down?"

Supervisor Janoski, "First of all, our position is if you paid attention in this meeting, that there were no site plans submitted to the Building Department until these site plans were submitted which we acted on. I don't know the date they were submitted but once they were submitted properly to the Building Department, they were there. I don't know when you went in but the record will be there. Is there a date on that Irene? July 22nd. Eight days ago. Did you come down in the last eight days?"

Betty Brown, "No. It was before that."

Supervisor Janoski, "Well then that should...."

Betty Brown, "You can only be turned away so many times before you have to stop coming."

PERSONAL APPEARANCES Continued

Councilman Prusinowski, "Did you ask any member of the Town Board for a copy of any previous site plan?"

Betty Brown, "What do you mean previous site plan?"

Councilman Prusinowski, "Well I've read the local papers and our paper, Traveler-Watchman, News Review had ample stories on the radio about previous plans that were submitted here. They were fully reported. In fact, the options (if I remember a story we had in our paper) one of the options that I even commented on was the difference between shall we allow residential condominium development or businesses. And Peter Danowski is quoted frequently in these articles saying I'm sending site plans down there. So if you would have asked for a copy, I would have given it to you."

Betty Brown, "Well we waited until the variances were..."

Supervisor Janoski, "Betty, there's obviously nothing that we're going to say that's going to make you happy. And you're purpose here is to find fault with the direction that we have taken tonight."

Betty Brown, "We would just like to be able to see some kind paper that...."

Supervisor Janoski, "Betty, that's the third thing that you said tonight that I have a real problem with. When it was placed in application, it is in the Town Clerk's office and it is available for you to see. And I don't like you calling this a mickey-mouse organization because you're insulting the integrity of the people who work in this Town Hall. I don't have to take that and nor does anybody else. We are running a very professional organization here and I don't have to take those insults from you. We can disagree."

Betty Brown, "We all have our opinions."

Supervisor Janoski, "That's right Betty. And you know what, you own ten acres of property in the town and how about we put that in farmland preservation program?"

Betty Brown, "I'd love it. Direct threats won't get you anywhere."

Supervisor Janoski, "You have to agree to do it. You have to agree to do it. It's ok to talk about the... Absolutely. Absolutely."

Councilman Pike, "Mr. Supervisor it's hot in here. Can I make a motion to adjourn?"

Supervisor Janoski, "Just a minute. First of all, a person must make an application to be in the farmland preservation program. What I am suggesting here is that if Betty's feelings are so strong that she make said application, the Town Board can't put it in there. She's got to put it in there. You know I think we've probably just

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PERSONAL APPEARANCES Continued

Supervisor Janoski, Continued

about done enough tonight that we can do. You want to talk?
Ok. Come on up. Come right up."

Councilman Lombardi, "Come on up ma'am."

Councilman Prusinowski, "I'm here."

Councilman Pike, "Yahoo, hurray."

Councilman Prusinowski, "That's ok."

Barbara Kimmel, "I'm sorry to do this to you all. I know you want to get out of here."

Councilman Prusinowski, "No. No. That's ok."

Barbara Kimmel, Jamesport Campground, "I'm on the Board of Directors of the campgrounds association and I'd like to address the Town Board, Mr. Janoski, members. In 1971 going back quite a ways, the residents of the Jamesport Campground Association came before this Board and requested that the Town Board not rezone from residential to industrial for Lebanon Chemical and they also mentioned the plant that's going in north of Railroad Avenue, the asphalt company. At that time, your dad (Mr. Pike) was involved in that one and so was Governor Rockefeller. I have..."

Councilman Pike, "How did he vote?"

Barbara Kimmel, (submitted folder to Supervisor) This is for you. Share it with the members. Don't read it now gentlemen. Peruse through it when it's cooler and we have more time. At any rate, until recently, Lebanon Chemical has been an excellent neighbor, a good friend. We need Lebanon in the area. We do not want them out. We don't want a monopoly of Agway corporation just so you get the general thrust of my coming before you this evening. But unfortunately they have expanded their operations to such a degree that it has become not only an environmentally hazard but a true annoyance to the residents in the area. We now have up to five eighteen-wheel vehicles coming in there every night. I'm not talking about ten o'clock at night. I'm saying one, two, three, four, and five in the morning. Those eighteen-wheel vehicles sit there and they beep and the men are sleeping in them and doing whatever else they need to do without toilet facilities. I opposed this. I recommend that the Board take action on this. We need an ordinance on this. With all the residents coming into the Jamesport area, we certainly not enhance our growth and the property values are going to go down if the public gets wind of what's going on at Lebanon. The facility now contains thousands of pounds of toxic chemicals as you are well aware. We had a little meeting in March when I came up to see you all. I think that these chemicals are extremely unstable. As a matter of fact, I know they are. The building they are housed in is old. It's older than my

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PERSONAL APPEARANCES Continued

Barbara Kimmel, Continued

house and that was built in 1911. It's in poor repair. When it is repaired, it's repaired by the gentlemen that work there. They are not house builders. It houses more toxic chemicals then when it was built and the chemicals are just so unstable that it's just a very bad environment. We need some overseeing of this. There has been a fire violation and a building violation issued to this company. December '85, a building violation was issued by the Town of Riverhead. Nothing today has been done about that. That building is still there. They are using intermittently."

Councilman Prusinowski, "We'll check that out this week."

Barbara Kimmel, "Certainly. June '86 there was a fire violation. They are housing chemicals in eighteen-wheel vehicles that are not attached to a trailer and here are some of the pictures. At this time, we, and the campgrounds association feel that the Town of Riverhead needs to take prompt action concerning this facility and the aforementioned problems. I feel that this company is becoming so large and so arrogant, they are confident they can do anything in Jamesport."

Councilman Prusinowski, "I ran into Greg Blass today on the street and we received a correspondence from him about this. I had told him that we sent down the fire inspector as a subsequent result of that meeting in March and that's probably why that violation was given. But we knew what the situation was because I believe we were talking to the fire commissioners too."

Barbara Kimmel, "The fire violation was issued in June."

Councilman Prusinowski, "Apparently, he's going to try to get the Health Department down there to see if they comply with the articles that pertain to storage of this type of.... In addition, we will follow up on that too. I'm not familiar with the article. Article 12 I believe he must comply with. So that's their parameter."

Barbara Kimmel, "I have been in contact with the Health Department. They are calling me. They are not in compliance. What I'm asking this Board to do, we've had a research engineer come in there and I think that we need to put it in black and white and blatant english. We are facing another Grucci. Only more so we are facing toxic wastes after the explosion. It will damage the environment irrevocably. The clean up of a similar explosion and fire in Anaheim, California cost a quarter of a million dollars. Are you, the Town Board, prepared to pay for this clean up? Are we able to pay for this as taxpayers? I doubt it. The enormity and the threat to our environment, our health and our lives can not be counted in dollars."

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PERSONAL APPEARANCES Continued

Councilman Prusinowski, "Well what I specifically asked Greg as we went through this with 414, we need the Health Department to make an inspection and write up some violations and notices so we can act and they can act on them too."

Barbara Kimmel, "I'm asking you as a Town Board to write ordinances concerning type of storage of toxic chemicals."

Councilman Lombardi, "I spoke to Eddie Kukla who's our fire inspector. We sent him up there two weeks ago. He said he spoke to Lebanon and that they are supposed to start building a concrete building and this is what I heard. So I said to Eddie; I don't want to hear that. I want to see it."

Barbara Kimmel, "The first thing is they have to get a building permit."

Councilman Lombardi, "Well this is it. Eddie's on vacation this week but I will find out."

Barbara Kimmel, "What can you do about eighteen-wheelers? I mean there's two problems here. Two very distinct problems and we need it taken care of."

Supervisor Janoski, "We can issue them a violation. It is not permitted by the code to use tractor trailers for storage."

Barbara Kimmel, "Also, that is not a truck stop. That's a residential area. I don't think we need to be sitting there getting these diesel fumes in our homes at two or three in the morning."

Councilman Pike, "Could I inquire on what the significance of the three photographs of the two eighteen-wheelers are? There is one in the upper left that has a bunch of pallets on it."

Barbara Kimmel, "That's a fire violation."

Councilman Pike, "Ok. What appears to be a wellhead hole in some..."

Barbara Kimmel, "That's on the Bushwick. It was the Bushwick Chemical. Lebanon Chemical is renting the Bushwick potato site."

Councilman Pike, "And the pile of what appears to be dirt is dirt?"

Councilman Prusinowski, "Probably no. Probably fertilizer."

Councilman Pike, "I'm wondering. It has a white frosting on it."

Barbara Kimmel, "That's fertilizer. When it rains and the Sunday night rain that we had at two in the morning, all of a sudden you smell all the chemicals in the fertilizer. And the Health Department doesn't come out at two in the morning when we're having

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PERSONAL APPEARANCES Continued

Barbara Kimmel, Continued

that heavy rain and all those chemicals are being washed in the street and into our water. I am waiting for the report on our water."

Councilman Pike, "So this is a pile of (among other things) dirt and fertilizer sitting on open ground?"

Barbara Kimmel, "Right."

Councilman Pike, "The one in the lower left; reconstruction of a trailer or something. What is that?"

Barbara Kimmel, "Oh. That's where one of the more toxic chemicals are stored. That's the building they moved in without a permit from Riverhead. And the only reason the building inspector found that violation was he came to inspect a new house going up across the road and wondered what the work was."

Supervisor Janoski, "That was in the last..."

Barbara Kimmel, "That was in December."

Councilman Pike, "And we all had a reason to believe that there was something inside these trailers?"

Barbara Kimmel, "I know there's something in there. You can see it."

Councilman Pike, "Tell me how you know."

Barbara Kimmel, "When you look through the window."

Councilman Pike, "You've seen what? Be specific. I'm not being fictitious."

Barbara Kimmel, "Desks, filing cabinets, a gentleman's briefcase."

Councilman Pike, "Any indication of toxic chemicals being stored in there?"

Barbara Kimmel, "Oh. Which building are we referring to?"

Councilman Pike, "In the trailers."

Barbara Kimmel, "That's stored with phosphorus and they open that up every day so that air can circulate through them. However, on 5 o'clock on Friday when they go home, they are maintained closed, locked shut until Monday morning at 7:30 when they are opened."

Councilman Pike, "Are there labelling on containers that you've seen? Again, I'm not being fictitious."

PERSONAL APPEARANCES Continued

Barbara Kimmel, "No. The Fire Department went out there and saw it and they have explained to the Fire Department that those toxic chemicals have to be separated from the nitrates because if the phosphorus and the nitrates get together, you'll have larger explosion than you normally would have."

Councilman Prusinowski, "It's my understanding that the Police Chief, the Fire Chief and the Board of Commissioners have some type of correspondence from Lebanon concerning the types of storage that they have in these buildings."

Barbara Kimmel, "So we don't leave anything to the imagination, I have here almost 200 signatures on very short notice that are town residents that are extremely concerned and wish you could do something. And for your added information, I have brought you some interesting material on chemicals. Ok? Thank you."

Councilman Pike, "Thank you."

Steve Haizlip, "I appreciate your letting me come back Joe. I had it in mind and it slipped my mind. On this letter that I presented; Mr. Boschetti he was pointed as a watchdog committee on the court complex business of moving it out and I don't believe he's ever been taken off. So I respectfully request that he get a look at that letter and reads the contents of it and convey with Mr. Katz (Mr. Sherman Katz) and find out on it and then maybe at the next meeting he might be able to comment on it for me."

Supervisor Janoski, "It wouldn't surprise me if Mr. Boschetti already has a copy of that letter. Mr. Katz very often copies directly."

Steve Haizlip, "Well I'm putting in wording requesting which I have a right as an American and a town citizen to do this. Thank you."

Supervisor Janoski, "God bless America. Yes sir."

Bob Skinner, "I'm going to make this real quick without getting into detail. There was some sort of demonstration down at the creek in Wading River. What was that? I mean, did that have a town permit or anything? That did. That created an extremely uncomfortable situation for a lot of the people who were bringing their boats back with people parking all over the place, etc., etc. I saw a lot of problems down there with it."

Supervisor Janoski, "It was all involved in the first amendment rights and there was really no way we..."

Bob Skinner, "Ok. But in regard to the other things; since it is August and there is a whole lot of people down there who just thought this would be... There were people who weren't really from the town that I saw down there. You know, I talked to people from St. James, Huntington, Smithtown. A lot of people think this is going to be a good place to put the boat in now. We spoke about it. Maybe we could have a little more policing down there because there is only one month in the summer."

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PERSONAL APPEARANCES Continued

Supervisor Janoski, "They are giving out summonses at a very high rate."

Bob Skinner, "Because that area is tough. We appreciate it. And the Iron Pier work that you've done is greatly appreciated also."

Supervisor Janoski, "Thank you."

Roberta Burns, So. Jamesport, "I have two questions. Number one; would the town ordinance you said you're going to change the boardinghouses, does that mean you're going to exclude it? Take it out of the whole code? Now, if we're in business "A" now and somebody we know has a boardinghome, can he just open one because he's in the area without getting any kind permit from the Health Department?"

Supervisor Janoski, "He already has a boardinghouse?"

Roberta Burns, "Well, yes he does."

Supervisor Janoski, "Then it comes a pre-existing non-conforming use."

Roberta Burns, "But no. He never got a permit. He just started doing this. How did he get a legal boardinghouse? You have to go where."

Councilman Prusinowski, "County Health Department. And if we change it, he can't."

Roberta Burns, "In other words; if he has an illegal one now and there's going to be a moratorium, he will be able to have one."

Councilman Prusinowski, "If we take that classification out of the zone, we have public hearings of the Town Board and does that, he has to apply for a use that doesn't exist."

Roberta Burns, "Well how do we go about somebody that is doing this? Who do we contact?"

Councilman Prusinowski, "Call the Building Department to send the inspector down."

Roberta Burns, "Ok. Number two; I think what Mrs. Brown was trying to say is if Mr. Pafundi and Mr. Danowski and all these people have said yes there is going to be a motel, yes, yes, how come it was only on file for a week? I mean that's very unfair to us."

Supervisor Janoski, "That's when they made the application for site plan approval, on July 22nd."

PERSONAL APPEARANCES Continued

Roberta Burns, "Then how was thirty days up?"

Supervisor Janoski, "You see, that's what...."

Councilman Prusinowski, "We're having an argument about it."

Supervisor Janoski, "You read her paper and that's what you read. Now, Mr. Pafundi (God as my witness) did bring in some site plans and gave them to members of the Town Board. They were very preliminary and they were for our reaction. Now, it can be argued that that represented a formal application but it really becomes a non-question because the Town Board did receive a formal application and the Town Board did act upon it. So the question goes away."

Roberta Burns, "But in other words, they were only open to speculation for us since July 22nd?"

Supervisor Janoski, "No that's not speculation."

Roberta Burns, "We don't even know what they look like until they came in Suffolk Life. We didn't even know what the buildings looked like until they showed up in Suffolk Life. We had residents trying to find out what they looked like."

Supervisor Janoski, "That's what newspapers do. They do give out that information. But if you had come down,..."

Roberta Burns, "People did come down."

Supervisor Janoski, "I never saw anybody. I had a copy of them which I would have gladly showed you. Now this is the preliminary stuff. This is not (in our opinion) a formal application."

Roberta Burns, "You said revised. How revised are they then what showed up in the Suffolk Life?"

Supervisor Janoski, "They're different architecturally from the initial proposals. In fact dramatically different. Materials, the layout, parking, the landscaping. They have changed dramatically."

Roberta Burns, "From the pictures in Suffolk Life?"

Supervisor Janoski, "I don't remember which one was in there."

Roberta Burns, "It looked like a Howard Johnsons."

Councilman Prusinowski, "The restaurant."

Roberta Burns, "It said it was a motel restaurant."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "It was a combination?"

Roberta Burns, "Yes. That's the impression that I got."

Supervisor Janoski, "But you know every member...."

Roberta Burns, "I think Mrs. Brown's point was that you sat there and hassled somebody about a light and a sign and then it appears that these plans went through with very little speculation."

Supervisor Janoski, "They were reviewed by..."

Roberta Burns, "I mean I kind of agree with country rural but a light and a sign doesn't really upset me as much as the fact that they're going to put the Howard Johnson's down at the end of my block."

Supervisor Janoski, "The point is while you may not think it is consequential to you, is that the code addresses the light and the sign. The same code of the Town of Riverhead permits motel and restaurants in business "A"."

Roberta Burns, "I agree. But you remember you told us a few meetings ago when you came to our association that you remember that gas station. That gas station up there, we made them look nice before they were allowed to open and that's what we're worried about now with more motels and this restaurant, Howard Johnson's doesn't show up."

Supervisor Janoski, "It's dramatically changed."

Roberta Burns, "Good. Well, that's what we're trying to find out."

Councilman Prusinowski, "Also too, we make sure that we took into consideration the landscaping and the parking. And it's particularly a corner of the lot there that goes down to Front Street. We want the landscaping only to be so high so that you still have the water view. You have a much better water view certainly with a restaurant. I don't know about the motel. The motel is a little bit larger structure."

Supervisor Janoski, "Another thing is that the code provides for a certain square footage formula which is clearly spelled out. In my opinion, they are not going to get a building that big and I don't know that for sure. But once the Health Department gets a hold of that proposal, I would wager that the unit is going to reduce."

Councilman Prusinowski, "Just to let you know, we had another application here two years ago I believe on Nick Schutz place. The bar that is still active. They wanted to build a restaurant there and not too much bigger than what you see now. They just wanted to more or less renovate the existing square footage. And they went to the Health Department and the Health

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PERSONAL APPEARANCES Continued

Councilman Prusinowski, Continued

Department gave them a laundry list that was so expensive that they backed out of the deal because they were required to put in extensive cesspool systems. The problem they had there and I had this problem at the Grey Goose was when we were putting in our cesspools and grease traps, you have to be so many feet from not the shoreline because they come down there and test the bogs and the marshland there. You have to be so many feet back from that line they will draw. So in that particular.... I remember that it was a plan that they were going to renovate the restaurant and provide extra parking and they had to come in. We were going to make... They asked us to have an easement over a town road where a piece of property goes to the water and they backed out of the deal because the Health Department requirements were so stringent they didn't want to go through with the project."

Supervisor Janoski, "This review is a simple review of architecture, building materials, parking, drainage, landscaping, that's what we acted on. We did not act on the rightness or the wrongness...."

Roberta Burns, "When can we see what your revisions were?"

Supervisor Janoski, "The Town Clerk has it. It's in her office. It's available at any time. In fact, there it is right there. And the other thing, you see one of the things on a very hot evening, that I have a problem is when someone says that I didn't open the meeting to comment when I know that I did three times. And that's unfortunate."

Roberta Burns, "No, she didn't say that. She just said that she was waiting. She thought it would be lengthy so she needed some more time. She didn't say that."

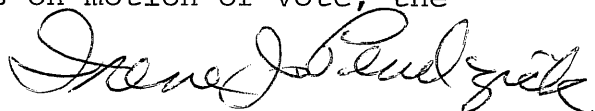
Supervisor Janoski, "We can disagree on various projects. One thing that I believe in is private property rights. I think it's basic to this country. Ok. So everyone has a right to their property and to develop it within the limits of the law and that's what this is and there are plenty of safeguards. And before they get a building permit and I would think it's going to be some time before they get a building permit."

Roberta Burns, "Well if we have anything to do with it, it will. Thank you."

Supervisor Janoski, "Without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 10:12 p.m.

IJP:nm



Irene J. Pendzick
Town Clerk